

Chapter III -- Species Regulations

3.1 Elk open season, hunt periods; season limit.

Sec. 3.1. (1) The open season for taking elk shall be those days as specified below for the following hunt periods:

Hunt Period	Open Season
1	August 27 to August 31 and September 9 to September 12, in Elk Management Units "L" and "M"
2	December 6 to December 13, in Elk Management Units "A", "B", "C", "D", and "X"
3	January 16 to January 20, only in Elk Management Unit(s) where additional harvest is deemed necessary to meet elk management objectives.

(2) The season limit shall be one elk per license.

History: Eff. Mar. 31, 1989; Am. 5, 1989, Eff. Sept. 1, 1989; Am. 7, 1990, Eff. Sept. 1, 1990; Am. 4, 1991, Eff. Sept. 1, 1991; Am. 5, 1992, Eff. July 1, 1992; Am. 7, 1993, Eff. Sept. 1, 1993; Am. 1, 1994, Eff. Sept. 1, 1994; Am. 2, 1995, Eff. Sept. 1, 1995; Am. 7, 1996, Eff. Sept. 1, 1996; Am. 4, 1997, Eff. June 1, 1997; Am. 5, 1998, Eff. June 1, 1998; Am. 14, 1998, Eff. Sept. 10, 1998; Am. 5, 1999, Eff. Sept. 1, 1999; Am. 17, 1999, Eff. Dec. 9, 1999; Am. 6, 2000, Eff. Aug. 1, 2000; Am. 7, 2001, Eff. June 1, 2001; Am. 6, 2002, Eff. June 1, 2002; Am. 3, 2003, Eff. May 10, 2003; Am. 6, 2004, Eff. May 8, 2004; Am. 4, 2005, Eff. May 6, 2005.

3.2 Elk hunting firearms and bows, exceptions.

Sec. 3.2. Those firearms and bows legal for the taking of deer in Michigan shall be legal to take elk, except that it shall be unlawful to use a shotgun with buckshot to take elk.

History: Eff. Mar. 31, 1989.

3.3 Repealed. Am. 5, 1989, Eff. Sept. 1, 1989.

Publisher's note: The repealed section pertained to the October elk hunt, application, and selection procedures.

3.4 Elk hunt, application and selection procedures; requirements; unlawful acts; ineligible persons.

Sec. 3.4. (1) Only Michigan residents, who will be at least 14 years of age before or during the hunt period for which they are applying, may apply for the current year's elk hunt. A person shall be ineligible to receive a license for more than 1 hunt period.

(2) A person issued an antlerless-only elk license valid for taking an antlerless elk in the 2003 license year shall be ineligible to apply for, obtain, or purchase an elk license for the 2004 license year. A person issued an elk license valid for taking a bull elk for the 1994 license year through the 2003 license year shall be ineligible to apply for, obtain, or purchase an elk hunting license for 10 license years subsequent to receiving the license. A person issued an antlerless-only elk license valid for taking an antlerless elk subsequent to the 2003 license year shall be ineligible to apply for, obtain, or purchase an elk license for 10 license years subsequent to receiving the license. A person issued an elk license valid for taking a bull elk on or after February 1, 2004, shall subsequently be ineligible to apply for, obtain, or purchase an elk hunting license.

(3) Eligible residents wishing to participate in the hunting of elk must apply for a license through the retail sales system in accordance with instructions provided by the department. If more applications are received than the number of licenses to be issued, a random drawing will be held to determine the successful applicants until such time the department secures funding to establish and implement a random weighted lottery for the selection of successful applicants. The director shall establish provisions for the transfer of application success to a youth applicant or an applicant with an advanced illness. Notwithstanding the successful applicant selection provisions of this subsection, licensees shall be drawn by region of residence in the same proportion as applications were received.

(4) Applications must be submitted in accordance with instructions no later than July 15 of the current year.

(5) Applicants shall indicate when making application whether they are willing to harvest only a bull elk or whether they are willing to harvest any elk. The drawing will first select the applicants who will be licensed to take a bull elk. Then the antlerless-only elk licenses will be drawn; any applicant drawn who has specified "bull only" on their application will be rejected, and another applicant will be drawn.

(6) All successful applicants must participate in a half-day training session the day before the hunt at a location to be determined in the vicinity of the hunt units. Upon completion of this training, each successful applicant will be issued their elk license along with other pertinent information and materials.

(7) The department, upon determining that a person is no longer a resident of Michigan, shall refund the elk hunting license fee to the person and select another applicant to receive the elk hunting license. A person who is not a resident of Michigan shall not hunt elk in Michigan.

History: Eff. Mar. 31, 1989; Am. 5, 1989, Eff. Sept. 1, 1989; Am. 5, 1992, Eff. July 1, 1992; Am. 1, 1994, Eff. Sept. 1, 1994; Am. 2, 1995, Eff. Sept. 1, 1995; Am. 4, 1997, Eff. June 1, 1997; Am. 5, 1998, Eff. June 1, 1998; Am. 10, 2003, Eff. Feb. 1, 2004; Am. 2, Eff. Mar. 8, 2004.

3.5 Elk hunting licenses, procedures; voiding of selection; transfer of drawing success; unlawful acts.

Sec. 3.5. (1) Within 2 weeks upon notification by mail of selection in the drawing, the successful applicant shall purchase an elk hunting license at any license agent within the state or shall transfer their success in the drawing to a qualified minor hunter or a hunter of any age with an advanced illness. Failure to comply with the purchase or transfer requirements of this subsection shall result in the voiding of the applicant's selection and selection of another person to receive an elk hunting license.

(2) It shall be unlawful for a person who transfers their success in the elk lottery to a minor hunter or a hunter with an advanced illness to assist the minor hunter or hunter with an advanced illness in any manner in taking elk for a fee or other consideration or service of value, either directly or indirectly.

(3) It shall be unlawful for a person to buy or sell success in the elk license lottery, or an adult to acquire a license after being unsuccessful in the lottery, unless the person has received from a physician a written statement of advanced illness which shall be produced upon the request of a peace officer.

History: Eff. Mar. 31, 1989; Am. 1, 1994, Eff. Sept. 1, 1994; Am. 2, 1995, Eff. Sept. 1, 1995; Am. 4, 1997, Eff. June 1, 1997; Am. 10, 2003, Eff. Feb. 1, 2004.

3.6 Elk hunting, requirements; unlawful acts.

Sec. 3.6. (1) The director shall issue a kill tag as part of the elk hunting license. It shall be unlawful for any person to hunt under the authority of an elk hunting license unless the licensee carries on their person the unused kill tag issued with their elk license.

(2) A person who kills an elk shall immediately validate the kill tag by notching out the appropriate areas of the kill tag and shall immediately attach the kill tag to the antler, lower jaw, or gambrel of the elk in a secure and permanent manner.

(3) Within 24 hours of killing an elk and before removing any elk from the area open to elk hunting, a licensee shall take the animal to the official checking station where a confirming seal or seals shall be attached by the department and an examination will be made for such biological or other information as may be desired. The carcass need not be entire, but all parts must be readily identifiable and presented for sealing.

(4) Within 2 weeks of killing an elk, a licensee shall take the head of the animal to a department management unit or field office for submission to the department.

(5) It shall be unlawful to possess or transport an elk or parts of an elk without a kill tag and confirming seal attached. A confirming seal shall remain attached to the elk until the conditions in section 3.103(2) are met. A person, corporation, or common carrier shall not receive for transportation or have in possession at the initial billing station the carcass or dead body of an elk more than 48 hours after the closing time when the taking of elk is authorized by law.

(6) It shall be unlawful to take an elk over bait. For the purposes of this section, "bait" means a substance composed of grain, fruit, vegetables, or other food placed to lure or entice elk. This does not apply to standing farm crops under normal agricultural practices or other natural growing grains, fruits, or vegetables.

(7) It shall be unlawful for a hunter with an antlerless-only license to take or possess an elk with antlers. It shall be unlawful for a person to take more than 1 elk in an elk hunting season.

History: Eff. Mar. 31, 1989; Am. 17, 1989, Eff. Sept. 1, 1989; Am. 7, 1990, Eff. Sept. 1, 1990; Am. 19, 1993, Eff. Sept. 10, 1993; Am. 1, 1994, Eff. Sept. 1, 1994; Am. 4, 1997, Eff. June 1, 1997; Am. 14, 1998, Eff. Sept. 10, 1998; Am. 17, 1999, Eff. Dec. 9, 1999; Am. 6, 2000, Eff. Aug. 1, 2000.

3.7 Repealed. Am. 4, 1991, Eff. Sept. 1, 1991.

Publisher's note: The repealed section pertained to October elk license quotas.

3.8 Elk license quota, hunters restricted to assigned management unit, exception.

Sec. 3.8. (1) The license quotas for the August 27-31 and September 9-12, 2005 elk season shall be:

- (a) Elk management unit L, 7 any elk licenses and 20 antlerless elk licenses
 - (b) Elk management unit M, 10 any elk licenses and 30 antlerless elk licenses
- (2) The license quotas for the December 6-13, 2005 elk season shall be:
- (a) Elk management unit A, 3 any elk licenses and 10 antlerless elk licenses
 - (b) Elk management unit B, 15 any elk licenses and 15 antlerless elk licenses
 - (c) Elk management unit C, 10 any elk licenses and 20 antlerless elk licenses
 - (d) Elk management unit D, 5 any elk licenses and 10 antlerless elk licenses

(3) The license quota for the January 16-20, 2006 season shall be no more than 40. The Director may determine the number and type of license available and the elk management units, as described in Chapter XII, open during this season.

(4) An elk hunter shall hunt in their assigned season and elk management unit except elk hunters assigned to hunt in elk management units A, B, C, or D may hunt in elk management unit X.

History: Eff. Mar. 31, 1989; Am. 17, 1989, Eff. Sept. 1, 1989; Am. 7, 1990, Eff. Sept. 1, 1990; Am. 4, 1991, Eff. Sept. 1, 1991; Am. 5, 1992, Eff. July 1, 1992; Am. 7, 1993, Eff. Sept. 1, 1993; Am. 1, 1994, Eff. Sept. 1, 1994; Am. 2, 1995, Eff. Sept. 1, 1995; Am. 7, 1996, Eff. Sept. 1, 1996; Am. 4, 1997, Eff. June 1, 1997; Am. 5, 1998, Eff. June 1, 1998; Am. 14, 1998, Eff. Sept. 10, 1998; Am. 17, 1999, Eff. Dec. 9, 1999; Am. 6, 2000, Eff. Aug. 1, 2000; Am. 15, 2005, Eff. July 8, 2005.

3.100 Taking of deer, prohibited firearms, "bait" and "baiting" defined, conditions for baiting established in certain area; unlawful acts.

Sec. 3.100. (1) A person shall not use a rimfire firearm .22 caliber or smaller for the taking of deer.

(2) It shall be unlawful for a person to take or possess, at any time, an albino deer, being a deer with all white or colorless hair, or a deer with a coat of all white or colorless hair similar to an albino deer. Piebald, or partially white deer, may be taken under the provisions of this order.

(3) A person shall not pursue, capture, shoot, kill, chase, follow, harass, or harm a deer while the deer is swimming in a pond, lake, stream, or other body of water.

(4) For the purposes of this section, "bait" means a substance composed of grains, minerals, salt, fruits, vegetables, hay, or any other food materials, whether natural or manufactured, which may lure, entice or attract deer. "Bait" does not include the establishment and maintenance of plantings for wildlife, foods found scattered solely as the result of normal agricultural planting or harvesting practices, foods available to deer through normal agricultural practices of livestock feeding if the area is occupied by livestock actively consuming the feed on a daily basis, or standing farm crops under normal agricultural practices. For the purposes of this section, "baiting" means to place, deposit, tend, distribute, or scatter bait to aid in the taking of a deer.

(5) It shall be unlawful for a person to make use of bait to aid in the taking of a deer within Alcona, Alpena, Crawford, Montmorency, Oscoda, Otsego, and Presque Isle counties.

(6) In those portions of Michigan not closed to baiting by subsection (5), a person may engage in baiting only if all of the following conditions apply:

(a) The baiting occurs only from October 1 to January 1.

(b) The bait material may be of any food type.

(c) The bait is scattered directly on the ground by any means, including mechanical spin-cast feeders, provided that the spin-cast feeder does not distribute on the ground more than the maximum volume allowed as described in subdivision (d) of this subsection. "Scattered" means that the bait is dispersed or thrown over a minimum of a 10-foot by 10-foot or equivalent area so that individual pieces of bait are separated and not placed in piles. The purpose of scattering is to mimic natural feeding conditions.

(d) The volume of bait used at any 1 point in time shall not exceed 2 gallons at any 1 hunting site.

(7) It shall be unlawful for a person to make use of bait to aid in the taking of a deer if the bait and baiting does not meet all of the conditions specified in subsection (6) unless specifically authorized in the minimum quantity and for the minimum time required under the conditions of a permit issued pursuant to chapter V for a scientific research project or for the control of deer by a governmental agency.

History: Eff. Mar. 31, 1989; Am. 23, 1989, Eff. Sept. 1, 1990; Am. 4, 1990, Eff. Sept. 1, 1990; Am. 2, 1993, Eff. Sept. 1, 1993; Am. 19, 1993, Eff. Sept. 10, 1993; Am. 3, 1994, Eff. Sept. 1, 1994; Am. 2, 1998, Eff. May 15, 1998; Am. 15, 1998, Eff. Sept. 10, 1998; Am. 1, 1999, Eff. Apr. 1, 1999; Am. 3, 1999, Eff. May 1, 1999; Am. 11, 1999, Eff. July 8, 1999; Am. 9, 2000, Eff. June 9, 2000; Interim Order 3, 2001, Eff. Oct. 1, 2001; Am. 8, 2002, Eff. June 8, 2002; Am. 2, 2003, Eff. Apr. 12, 2003.

3.100a Deer and elk feeding; prohibitions and conditions; words and phrases.

Sec. 3.100a. (1) A person shall not engage in deer and elk feeding within Alcona, Alpena, Crawford, Montmorency, Oscoda, Otsego, and Presque Isle counties. A person shall not engage in the supplemental feeding of deer in Dickinson, Gogebic, Iron, and Menominee counties. Notwithstanding any other provision of this section, effective May 16, 2003, it shall be unlawful to engage in the supplemental feeding of deer in Michigan.

Deer and elk feeding prohibited except for recreational viewing and supplemental feeding, conditions for baiting and feeding in certain areas.

(2) In the remaining portions of Michigan not described in subsection (1), a person shall not engage in deer and elk feeding except for recreational viewing and supplemental feeding conducted as prescribed in this section. In the event chronic wasting disease (CWD) is documented within Michigan or within 50 miles of Michigan's border with another state or Canadian province, the director shall issue an interim order banning the use of bait and banning the feeding of deer and elk within the peninsula adjacent to the adjoining state or province with CWD or containing CWD.

Recreational viewing in areas not closed to feeding, conditions.

(3) In those areas of Michigan not closed to deer and elk feeding by subsection (1), a person may engage in deer and elk feeding for recreational viewing only if all of the following conditions are met:

(a) The feed is placed not more than 100 yards from a residence of the person and upon land owned or possessed by that person.

(b) The feed is placed, scattered, or dispersed at least 100 yards from any area accessible to cattle, goats, sheep, new world camelids, bison, swine, horses, or captive cervidae and no more than 100 yards from a residence.

(c) The feed is scattered directly on the ground by any means, including mechanical spin-cast feeders, provided that the spin-cast feeder does not distribute on the ground more than the maximum volume allowed as described in subdivision (d) of this subsection.

(d) The volume of feed placed, scattered, or distributed does not exceed 2 gallons per residence at any 1 point in time.

(e) The feed placed, scattered, or distributed may be of any food type.

Supplemental feeding on privately-owned lands in the Upper Peninsula, exception, conditions.

(4) Except as provided by subsection (1), a person may engage in supplemental deer feeding upon privately-owned lands in the Upper Peninsula if the supplemental deer feeding is conducted in compliance with all of the following criteria:

(a) Prior to placing any feed, the person reports by telephone, certified letter, or in person to the Upper Peninsula field deputy at the Marquette department office the following information:

(i) The person or organization that will be feeding.

(ii) The number and location of each feeding site using a legal land description to within a 40-acre parcel, the ownership of each parcel, or a person may provide the GPS coordinates with an accuracy of ± 100 meters.

(b) The placement of feed shall not begin prior to the Monday following January 1 and shall not extend beyond May 15 unless written authorization is provided by the Upper Peninsula field deputy.

(c) All feed shall be placed $\frac{1}{4}$ mile or more from the nearest paved public highway unless written authorization is provided by the Upper Peninsula field deputy.

(d) All feed shall be placed at least 1 mile from cattle, goats, sheep, new world camelids, bison, swine, horses, or captive cervidae unless written authorization is provided by the Upper Peninsula field deputy.

(e) All feed shall be placed at least 1 mile from wheat fields, potato fields, commercial fruit orchards, commercial plantings of nursery stock or Christmas trees, unless written authorization is provided by the Upper Peninsula field deputy.

(f) The feed may be composed of any food material.

(g) The supplemental feeding location met the conditions for feeding on privately-owned lands during January 1, 2002 to May 15, 2002, as certified by the Upper Peninsula field deputy.

Supplemental feeding on publicly-owned lands in the Upper Peninsula, exception, conditions.

(5) Except as provided by subsection (1), a person may engage in supplemental deer feeding upon publicly-owned lands in the Upper Peninsula if all of the following conditions are met:

(a) Prior to placing any feed, the person first acquires concurrence of the respective land administrator and a supplemental deer feeding permit issued by the Upper Peninsula field deputy at the Marquette department office.

(b) The supplemental deer feeding is conducted in compliance with all of the following criteria:

(i) The placement of feed shall not begin prior to the Monday following January 1 and shall not extend beyond May 15 unless otherwise specified in a permit issued by the Upper Peninsula field deputy.

(ii) All feed shall be placed $\frac{1}{4}$ mile or more from the nearest paved public highway unless otherwise specified in a permit issued by the Upper Peninsula field deputy.

(iii) All feed shall be placed at least 1 mile from cattle, goats, sheep, new world camelids, bison, swine, horses, or captive cervidae unless written authorization is provided by the Upper Peninsula field deputy.

(c) All feed shall be placed at least 1 mile from wheat fields, potato fields, commercial fruit orchards, commercial plantings of nursery stock or Christmas trees, unless written authorization is provided by the Upper Peninsula field deputy.

(d) The feed may be composed of any food material.

(e) The supplemental feeding location was permitted during January 1, 2002 to May 15, 2002, as certified by the Upper Peninsula field deputy.

Deer or elk feeding on property under a person's ownership or lease, prohibited conduct, "person" defined.

(6) A person shall not allow deer or elk feeding on property under their ownership or control in violation of this section. For the purposes of this subsection, "person" means an individual, partnership, corporation, association, or other non-governmental legal entity except if the property is leased it shall mean the individual, partnership, corporation, association, or other non-governmental legal entity with control or authority over the property except it shall not include the owner of lands enrolled under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, being sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

Meaning of words and phrases.

(7) For the purposes of this section:

(a) "Deer and elk feeding" shall have the same meaning as defined by section 40102 of the Natural Resources and Environmental Protection Act, Act No. 451 of the Public Acts of 1994, being section 324.40102 of the Michigan Compiled Laws.

(b) "Feed" shall have the same meaning as defined by section 40102 of the Natural Resources and Environmental Protection Act, Act No. 451 of the Public Acts of 1994, being section 324.40102 of the Michigan Compiled Laws.

(c) "New world camelids" means animals belonging to the genus llama and vicuna of the family camelidae of the order artiodactyla including, but not limited to, the llama, alpaca, vicuna, and guanaco.

(d) "Residence" shall have the same meaning as defined by section 40103 of the Natural Resources and Environmental Protection Act, Act No. 451 of the Public Acts of 1994, being section 324.40103 of the Michigan Compiled Laws.

History: Eff. Oct., 1, 1999; Am. 14, 1999; Am. 9, 2000, Eff. June 9, 2000; Am. 12, 2001, Eff. Sept. 1, 2001; Am. 8, 2002, Eff. June 8, 2002.

3.100b. Prohibition on import of free-ranging deer or elk carcasses or parts of deer or elk carcasses from certain states or provinces, exceptions; reporting requirements.

Sec. 3.100b. (1) A person shall not import the carcass or parts of the carcass of a free-ranging deer or elk into Michigan if the carcass or parts thereof originated in a state or province listed in the Michigan hunting and trapping guide for the current year as a state or province detected to have chronic wasting disease (CWD) in free-ranging deer or elk populations except for the following:

(a) Deboned meat, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, and upper canine teeth.

(b) A finished taxidermist mount.

(c) Tissues imported for use by a diagnostic or research laboratory.

(2) A person that is notified by mail or other means that a carcass part imported into Michigan tested positive for CWD shall within the business hours of the next 2 business days report such finding to the Michigan department of natural resources, rose lake wildlife disease laboratory, and shall provide such information as may be requested by the laboratory.

History: Am. 12, 2003, Eff. July 12, 2003

THIS AMENDED SECTION IS EFFECTIVE SEPTEMBER 1, 2004 AND REMAINS IN EFFECT UNTIL MAY 31, 2006.

3.100c Supplemental feeding of deer, exception to section 3.100a, counties listed, conditions.

Sec. 3.100c. (1) Notwithstanding the provisions of section 3.100a regarding the supplemental feeding of deer, a person may engage in the supplemental feeding of deer in Ontonagon, Houghton, Keweenaw, Baraga, Alger, Luce, and those portions of Marquette and Chippewa counties north of the T43N-T44N boundary line if all of the following conditions are met:

(a) Prior to placing any feed, the person first acquires permission of the respective public land administrator and private property owner and a supplemental deer feeding permit issued by a department wildlife biologist. A person engaged in supplemental deer feeding shall possess a copy of the supplemental deer feeding permit and shall produce the permit upon the request of a conservation officer.

(b) The supplemental deer feeding is conducted in compliance with all of the following criteria:

(i) The placement of feed shall not begin prior to the Monday following January 1 and shall not extend beyond May 15 unless otherwise specified in the supplemental deer feeding permit.

(ii) All feed shall be placed $\frac{1}{4}$ mile or more from the nearest paved public highway unless otherwise specified in the supplemental deer feeding permit.

(iii) All feed shall be placed at least 1 mile from cattle, goats, sheep, new world camelids, bison, swine, horses, or captive cervidae unless otherwise specified in the supplemental deer feeding permit.

(iv) All feed shall be placed at least 1 mile from wheat fields, potato fields, commercial fruit orchards, commercial plantings of nursery stock or Christmas trees, unless otherwise specified in the supplemental deer feeding permit.

(v) The feed shall consist solely of grains and pelletized food materials containing no animal protein which is scattered or dispersed directly upon the ground to a depth which shall not exceed 3 inches.

(c) A person issued a supplemental deer feeding permit shall agree to assist the department in the collection of deer tissue samples for disease surveillance.

(d) A person issued a supplemental deer feeding permit shall report by May 30 the quantity and type of feed used, dates and duration of feeding, and other information as may be specified in the supplemental feeding permit. The department shall report to the commission the number of permits issued, quantity of feed used, and other relevant supplemental deer feeding information.

(e) Failure to comply with all provisions of a supplemental deer feeding permit shall make the permittee ineligible for any future supplemental deer feeding permits.

History Note: Am. 14, 2004, Eff. Sept. 1, 2004.

THIS SECTION IS AMENDED EFFECTIVE SEPTEMBER 1, 2004 THROUGH MAY 31, 2006.

3.100c Repealed. Interim Order 3, 2004, Eff. May 31, 2004.

Compiler's Note: This repealed section pertained to supplemental deer feeding in the Upper Peninsula..

3.101 Deer hunting, open seasons; type of deer that may be taken; carrying of firearms; season limit.

Sec. 3.101. (1) The open firearm deer season shall be from November 15 to November 30.

(2) The open muzzle-loading and black-powder firearms only deer season in zone 1 shall be a total of 10 days from the first Friday in December to nine days thereafter. The open muzzle-loading and black-powder firearms only deer season in zone 2 shall be a total of 10 days from the second Friday in December to nine days thereafter. The

open muzzle-loading and black-powder firearms only deer season in zone 3 shall be a total of 17 days from the first Friday in December to 16 days thereafter.

(3) Subject to section 43510, subsections (2) and (3), of Part 435, as amended, hunting and fishing licensing, MCL 324.43510, a person hunting deer with a muzzleloading firearm during the muzzle-loading and black-powder firearms only season shall only possess or carry afield, or take a deer with a muzzle-loading rifle, muzzle-loading shotgun, or black-powder pistol, loaded with black-powder or a commercially manufactured black-powder substitute.

(4) The open bow and arrow only season shall be from October 1 through November 14 and from December 1 through January 1.

(5) Subject to section 43510, subsections (2) and (3), of Part 435, as amended, hunting and fishing licensing, MCL 324.43510, during the open bow and arrow only season, a person hunting deer with a bow and arrow shall not possess or carry afield a pistol, revolver, or any other firearm unless the person is properly licensed to hunt deer with a firearm and is hunting in an area open to firearm deer hunting.

(6) The late antlerless firearm deer season shall be from the first Monday following the third Saturday in December through January 1 upon privately owned lands within Alcona, Alpena, Barry, Branch, Calhoun, Crawford, Hillsdale, Ionia, Jackson, Kalamazoo, Kent, Lapeer, Lenawee, Montmorency, Oakland, Oscoda, Otsego, Ottawa, Presque Isle, St. Joseph, Sanilac, Tuscola, and Washtenaw counties. Only a person possessing a valid antlerless deer license issued for the deer management unit in which they are hunting may take a deer during these seasons.

(7) The deer management assistance firearm hunt period shall be from the first Monday following the third Saturday in December through January 1 upon lands owned by federal, state, county, or local units of government, non-profit organizations, and other urban or suburban properties in zone 3. Only those areas with a wildlife division approved deer population management plan will be considered for issuance of these special deer management assistance permits. Only a person possessing a valid deer management assistance permit issued for this hunt period may take a deer with a firearm during this season.

(8) The season limit shall be 1 deer per firearm deer license, 1 deer per bow and arrow deer license, 1 deer per tag issued with a combination deer license, plus 1 deer per antlerless deer license.

(9) Except as provided by sections 3.101c and 3.101d, the kind of deer which may be taken during the respective open seasons for each combination of season and deer license type shall be as follows:

<u>Type of license</u>	<u>Season in which used</u>	<u>Kind of deer that may be taken</u>
Bow and arrow deer license	Bow and arrow only seasons.	Antlerless or antlered deer, except if a person takes 2 antlered deer all seasons combined, one of the antlered deer must have at least 1 antler with 4 or more antler points 1 or more inches in length.
Firearm deer license	Firearm deer season, muzzle-loading and black-powder firearms only season. Youth firearm deer hunting days	Antlered deer, except if a person takes 2 antlered deer all seasons combined, one of the antlered deer must have at least 1 antler with 4 or more antler points 1 or more inches in length.
Combination deer license – Regular	Bow and arrow only seasons	Antlerless or antlered deer
Combination deer license – Regular	Firearm deer season or muzzle-loading and black-powder firearms only season Youth firearm deer hunting	Antlered deer

Combination deer license – Restricted	days Bow and arrow only seasons	Antlerless deer or a deer which has at least 1 antler with 4 or more antler points 1 or more inches in length
Combination deer license – Restricted	Firearm deer season or muzzle-loading and black-powder firearms only season Youth firearm deer hunting days	A deer which has at least 1 antler with 4 or more antler points 1 or more inches in length

(10) A person issued a permit by the department to hunt from a standing vehicle may take deer with a firearm during a 2-day hunt starting the third Saturday in October upon privately owned lands. Except as already provided in section 40114, part 401, wildlife conservation, Act No. 451 of the Public Acts of 1994, being section 324.40114 of the Michigan Compiled Laws, regarding the taking of a deer of either sex, all regulations of state law and this order regarding the taking, possession, transportation, and storage of deer during a firearm deer season shall apply to a person participating in this season.

History: Eff. Mar. 31, 1989; Am. 2, 1989, Eff. Sept. 1, 1989; Am. 18, 1989, Eff. Sept. 1, 1989; Am. 24, 1989, Eff. Dec. 15, 1989; Am. 4, 1990, Eff. Sept. 1, 1990; Am. 6, 1991, Eff. Sept. 1, 1991; Am. 19, 1993, Eff. Sept. 10, 1993; Am. 3, 1994, Eff. Sept. 1, 1994; Am. 3, 1997, Eff. June 1, 1997; Am. 6, 1998, Eff. May 15, 1998; Am. 15, 1998, Eff. Sept. 10, 1998; Am. 15, 1998, Eff. Sept. 10, 1998; Am. 8, 1999, Eff. Sept. 1, 1999; Am. 2, 2000, Eff. Jan. 14, 2000; Am. 7, 2000, Eff. Sept. 1, 2000; Am. 6, 2001, Eff. June 1, 2001; Am. 8, 2002, Eff. June 8, 2002; Am. 8, 2003, Eff. June 7, 2003; Am. 7, 2004, Eff. June 5, 2004; Am. 2, 2005, Eff. Mar. 11, 2005; Am. 5, 2005, Eff. May 6, 2005.

3.101a Repealed. Am. 6, 1998, Eff. May 15, 1998.

Publisher's Note: The repealed section pertained to second deer hunting licenses.

3.101b Repealed. Am. 6, 2001, Eff. June 1, 2001.

Publisher's Note: The repealed section pertained to deer management units 77, 83, 89, and 94, taking restricted to deer with 3 inch or longer antlers.

3.101c Deer hunting in deer management units 117 and 135, antler restriction.

Sec. 3.101c. Notwithstanding any other provisions of this order, in deer management units 117 and 135, a person shall not take an antlered deer unless the deer has at least 1 antler with 2 or more antler points each 1 or more inches in length.

History: Am. 3, 1997, Eff. June 1, 1997; Am. 7, 1997, Eff. Sept. 1, 1997; Am. 15, 1998, Eff. Sept. 10, 1998; Am. 6, 2001, Eff. June 1, 2001.

3.101d Deer hunting in deer management units 045, 122, 152, 155, and 252 antler restriction.

Sec. 3.101d. Notwithstanding any other provisions of this order, in deer management units 045, 122, 152, 155, and 252, a person shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length.

History: Am. 9, 1999, Eff. Sept. 1, 1999; Am. 6, 2001, Eff. June 1, 2001; Am. 4, 2002, Eff. June 1, 2003; Am. 5, 2004, Eff. May 8, 2004.

3.101e Youth firearm deer hunting days, season established, limits defined, adult requirements, hunting hours.

Sec. 3.101e. The firearm deer youth hunting days shall be a 2-day hunt starting the fourth Saturday in September. The following rules shall apply to a person taking deer on the youth firearm deer hunting days:

(1) Youths 12 through 16 years of age may take one deer provided the youth has a firearm or combination deer hunting license or an antlerless deer hunting license valid for the unit in which they are hunting. The kind of deer that may be taken shall be the same as during the firearm deer season.

(2) A parent or legal guardian shall not allow a youth hunter to go afield to hunt deer unless the youth hunter is accompanied by an adult at least 18 years of age or older. Subject to section 43510, subsections (2) and (3), of Part 435, as amended, hunting and fishing licensing, MCL 324.43510, an adult accompanying a youth firearm deer hunter shall not possess or carry a firearm or bow and arrow.

(3) The hunting hours shall be one-half hour before sunrise to one-half hour after sunset, local time.

(4) Except as otherwise specifically provided in this section, all regulations of state law and this order regarding the taking, possession, transportation, and storage of deer during a firearm deer season shall apply to persons participating in youth firearm deer hunting days.

History: Am. 8, 2000, Eff. Sept. 1, 2000; Am. 6, 2001, Eff. June 1, 2001; Am. 7, 2004, Eff. June 5, 2004; Am. 2, 2005, Eff. Mar. 11, 2005.

3.101f Permitted tagging of male antlerless deer.

Sec. 3.101f. Notwithstanding the provisions of subsection 3.101(9) regarding the kind of deer that may be taken, a person with unused kill tags valid for both an antlered and antlerless deer for the deer management unit in which they are hunting, and killing a male antlerless deer, may tag the male antlerless deer with a kill tag designated in subsection 3.101(9) for the taking of an antlered deer.

History: Am. 6, 2001, Eff. June 1, 2001; Am. 8, 2003, Eff. June 7, 2003.

3.102 Antlerless deer license; validity; authority; types; restrictions; units.

Sec. 3.102. (1) Antlerless deer licenses are only valid in their specified deer management unit when the unit has a season open to the taking of deer. Antlerless deer licenses do not grant permission to hunt on private property without the permission of the owner. A person purchasing an antlerless deer license over the counter shall do so in person.

(2) Antlerless deer licenses shall only be valid for taking an antlerless deer.

(3) Except as otherwise provided in this subsection, the holder of a valid public land antlerless deer license shall only take a deer from publicly owned lands within the deer management unit specified on the antlerless deer license. Public land antlerless deer licenses shall not be valid on any privately owned lands except lands open to hunting by the general public under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, being sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(4) The holder of a valid private land antlerless deer license shall only take a deer from privately owned lands within the deer management unit specified on the private land antlerless deer license. The private land antlerless deer license shall not be valid on publicly owned lands and lands open to hunting by the general public under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, being sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(5) The director shall determine the deer management units, as defined in chapter XII, open to the taking of antlerless deer by public land antlerless deer license or private land antlerless deer license, or any combination.

(6) The director may issue private land antlerless deer licenses through the retail sales system on a first-come, first-served basis for use in designated deer management units where such issuance is in the best interest of deer management.

(7) The director may issue antlerless deer licenses through the retail sales system on a first-come, first-served basis for use in designated deer management units when the director determines that antlerless deer licenses remain unsold after the drawing, provided for in section 3.104, has been held or where such issuance is in the best interest of deer management.

(8) Young hunters, 12 to 16 years of age on or before the 4th Saturday in September, may purchase 1 private or public land antlerless deer license, over the counter, on a first-come, first-served basis, through August 1 for any deer management unit open to the taking of antlerless deer.

(9) Starting the first business day following August 1, a person shall not purchase more than 1 antlerless deer hunting license per calendar day.

History: Eff. Mar. 31, 1989; Am. 3, 1989, Eff. Sept. 1, 1989; Am. 4, 1990, Eff. Sept. 1, 1990; Am. 6, 1991, Eff. Sept. 1, 1991; Am. 3, 1997, Eff. June 1, 1997; Am. 6, 1998, Eff. May 15, 1998; Am. 15, 1998, Eff. Sept. 10, 1998; Am. 8, 1999, Eff. Sept. 1, 1999; Am. 14, 2000, Eff. July 14, 2000; Am. 4, 2001, Eff. June 1, 2001; Am. 8, 2002, Eff. June 8, 2002; Am. 12, 2004, Eff. June 5, 2004.

3.103 Issuance of deer kill tags; validation of deer kill tag; unlawful acts.

Sec. 3.103. (1) The director shall issue a kill tag as part of each deer hunting license. A person who kills a deer shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the antler, lower jaw, or gambrel of the deer in a secure and permanent manner.

(2) Except as provided in this subsection for the removal of a kill tag, it shall be unlawful to possess or transport a deer without a validated deer kill tag attached. The kill tag shall remain attached to the deer until any 1 of the following conditions are met:

(a) The carcass is processed or butchered for consumption by an individual for their personal use.

(b) The carcass is accepted for processing and recorded by a commercial processor. If the antlers or head is returned to the person submitting the animal to the commercial processor, the kill tag shall accompany the head or antlers.

(c) The carcass is accepted for processing and recorded by a taxidermist.

History: Eff. Mar. 31, 1989; Am. 3, 1989, Eff. Sept. 1, 1989; Am. 19, 1993, Eff. Sept. 10, 1993; Am. 3, 1994, Eff. Sept. 1, 1994; Am. 3, 1997, Eff. June 1, 1997; Am. 6, 1998, Eff. May 15, 1998.

3.104 Antlerless deer hunting license application procedures; qualifications; unlawful acts.

Sec. 3.104. (1) A person desiring to acquire a public land antlerless deer hunting license must make application for a license through the retail sales system in accordance with instructions provided by the department. As authorized by section 43526 of part 435, hunting and fishing licensing, Act No. 451 of the Public Acts of 1994, as amended, being section 324.43526 of the Michigan Compiled Laws, the department shall charge a nonrefundable fee of \$4 for each application for an antlerless deer license. The fee for each antlerless deer license shall be established by the director. If the number of applications for a license in any unit exceeds the quota of licenses to be issued, a random drawing will determine the successful applicants. A person shall not make more than 1 application for an antlerless deer hunting license per license year.

(2) Applications must be submitted in accordance with instructions no later than August 1 of the year in which application was made to be eligible for the drawing.

History: Eff. Mar. 31, 1989; Am. 3, 1989, Eff. Sept. 1, 1989; Am. 3, 1992, Eff. Sept. 1, 1992; Am. 3, 1994, Eff. Sept. 1, 1994; Am. 6, 1995, Eff. Sept. 1, 1995; Am. 3, 1997, Eff. June 1, 1997; Am. 5, 1997, Eff. Aug. 1, 1997; Am. 6, 1998, Eff. May 15, 1998; Am. 8, 1999, Eff. Sept. 1, 1999; Am. 14, 2000, Eff. July 14, 2000; Am. 4, 2001, Eff. June 1, 2001; Am. 14, 2001, Eff. Sept. 15, 2001; Am. 8, 2002, Eff. June 8, 2002.

3.105 Antlerless only license quotas.

Sec. 3.105. (1) The Director, in consultation with and concurrence of the Chair or Vice Chair of the Natural Resources Commission, may make appropriate minor changes to antlerless deer quotas established in 3.105(b) to meet disease control, population goal, or other management objectives.

(2) Notwithstanding any other provision of this section the antlerless deer license quotas for 2005 are as follows:

DMU Number	DMU Name	Public License	Private License	Total
1	Alcona County	3,000	6,000	9,000
3	Allegan County	3,000	12,000	15,000
4	Alpena County	900	4,500	5,400
5	Antrim County	200	4,000	4,200
6	Arenac County	500	8,000	8,500
7	Big Bay Unit	0	0	0
8	Barry County	1,500	17,000	18,500
9	Bay County	100	3,000	3,100

10	Benzie County	0	400	400
11	Berrien County	200	5,000	5,200
12	Branch County	100	12,000	12,100
13	Calhoun County	100	16,000	16,100
14	Cass County	500	12,000	12,500
15	Charlevoix County	200	2,800	3,000
16	Cheboygan County	200	800	1,000
17	Sault Ste. Marie Unit	500	2,500	3,000
18	Clare County	1,000	12,200	13,200
19	Clinton County	1,200	13,000	14,200
20	Crawford County	1,300	1,000	2,300
21	Manistique Unit	0	0	0
22	Iron Mountain Unit	2,500	4,000	6,500
23	Eaton County	100	12,800	12,900
24	Emmet County	300	2,000	2,300
25	Genesee County	0	9,000	9,000
26	Gladwin County	700	8,000	8,700
27	Watersmeet Unit	1,000	1,300	2,300
28	Grand Traverse County	0	300	300
29	Gratiot County	1,600	8,500	10,100
30	Hillsdale County	400	15,000	15,400
32	Huron County	1,000	10,000	11,000
33	Ingham County	600	10,000	10,600
34	Ionia County	1,200	14,300	15,500
35	Iosco County	1,100	6,000	7,100
36	Amasa/Michigamme Unit	0	2,000	2,000
37	Isabella County	100	15,000	15,100
38	Jackson County	1,600	20,000	21,600
39	Kalamazoo County	1,500	10,000	11,500
40	Kalkaska County	0	100	100
41	Kent County	1,100	12,500	13,600
42	Keweenaw Unit	0	0	0
43	Lake County	0	0	0

44	Lapeer County	3,500	19,500	23,000
45	Leelanau County	0	500	500
46	Lenawee County	400	9,500	9,900
47	Livingston County	1,300	15,000	16,300
48	Newberry Unit	0	0	0
49	Trout Lake Unit	0	3,000	3,000
50	Macomb County	200	3,200	3,400
51	Manistee County	0	3,000	3,000
53	Mason County	0	5,000	5,000
54	Mecosta County	0	14,000	14,000
55	Menominee Unit	2,300	14,000	16,300
56	Midland County	2,500	12,000	14,500
57	Missaukee County	0	5,000	5,000
58	Monroe County	400	1,800	2,200
59	Montcalm County	1,000	19,000	20,000
60	Montmorency County	2,000	6,000	8,000
61	Muskegon County	800	6,500	7,300
62	Newaygo County	0	8,000	8,000
63	Oakland County	3,500	9,500	13,000
64	Oceana County	0	5,000	5,000
65	Ogemaw County	1,300	10,500	11,800
66	Ontonagon County	0	800	800
67	Osceola County	0	6,000	6,000
68	Oscoda County	2,200	3,000	5,200
69	Otsego County	300	900	1,200
70	Ottawa County	400	9,000	9,400
71	Presque Isle County	1,000	4,500	5,500
72	Roscommon County	2,000	3,000	5,000
73	Saginaw County	200	5,000	5,200
74	St. Clair County	800	8,500	9,300
75	St. Joseph County	300	8,000	8,300
76	Sanilac County	1,500	14,000	15,500
78	Shiawassee County	200	13,000	13,200

79	Tuscola County	2,700	14,000	16,700
80	Van Buren County	200	10,000	10,200
81	Washtenaw County	1,500	14,000	15,500
82	Wayne County	100	1,200	1,300
83	Wexford County	0	0	0
115	Beaver Island	300	700	1,000
117	Drummond Island	100	300	400
121	Bay De Noc	400	1,000	1,400
122	Norway Unit	200	2,500	2,700
135	Tawas Unit	200	600	800
145	North Manitou Island	0	0	0
149	Round/Bois Blanc Island	100	100	200
152	Gwinn Unit	0	500	500
155	Gladstone Unit	800	3,600	4,400
173	Shiawassee Flats	1,400	400	1,800
174	St. Clair Flats	400	300	700
245	South Fox Island	0	0	0
252	Rock Unit	0	1,000	1,000
255	LaBranche Unit	2,500	1,000	3,500
273	Shiawassee Unit	0	0	0
452	Core Area	600	8,000	8,600

Total	68,900	597,900	666,800
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History: Eff. Mar. 31, 1989, Am. 18, 1989, Eff. Sept. 1, 1989; Am. 4, 1990, Eff. Sept. 1, 1990; Am. 3, 1997, Eff. June 1, 1997; Am. 14, 2005, Eff. July 8, 2005

3.106 South Fox Island deer management unit, open seasons, permitted hunting arms.

Sec. 3.106. (1) The bow and arrow only deer hunting season shall be from October 1 to October 28 within the South Fox Island deer management unit.

(2) The firearm deer hunting season shall be from October 29 to November 26 within the South Fox Island deer management unit. Permissible firearms and bows and arrows shall be the same as those for zone 2 during the firearm deer season.

(3) A person shall not take a deer from November 27 to January 1 within the South Fox Island deer management unit.

(4) The director may establish hunting periods and quotas for the number of permits to be issued for hunting deer on South Fox Island.

History: Eff. Mar. 31, 1989; Am. 17, 1990, Eff. Sept. 1, 1990; Am. 5, 1993, Eff. Sept. 1, 1993; Am. 3, 1997, Eff. June 1, 1997; Am. 7, 2004, Eff. June 5, 2004.

3.107 South Fox Island deer hunting regulations.

Sec. 3.107. (1) A South Fox Island permit, along with a current Michigan deer hunting license for the appropriate season, shall be required to take a deer during any open season within the South Fox Island deer management unit. Permits shall be applied for in person, by phone, or by mail at the Cadillac management unit office, department of natural resources, during regular office hours, or vender(s) designated by the director.

(2) A person shall not sell, lend, or allow another person to use their South Fox Island special permit; nor shall a person use or attempt to use another person's South Fox Island permit.

(3) A person that takes a deer within the South Fox Island deer management unit must immediately seal the deer with a special South Fox Island seal. Three seals shall be issued per permit.

(4) Except as otherwise provided in this subsection, a person may take 1 deer for each South Fox Island seal issued to that person. Notwithstanding any other provisions of this order, a person shall not take an antlered deer unless the deer has at least 1 antler with 2 or more antler points of at least 1 inch in length. A person shall not take more than 1 antlered deer from the South Fox Island deer management unit. Deer taken from the South Fox Island deer management unit shall not be included in the season limit as defined in section 3.101(8) of this order.

History: Eff. Mar. 31, 1989; Am. 10, 1989, Eff. Sept. 1, 1989; Am. 17, 1990, Eff. Sept. 1, 1990; Am. 5, 1993, Eff. Sept. 1, 1993; Am. 3, 1997, Eff. June 1, 1997; Am. 15, 1998, Eff. Sept. 10, 1998; Am. 8, 2003, Eff. June 7, 2003; Am. 7, 2004, Eff. June 5, 2004.

3.108 North Manitou Island deer management unit, deer hunting regulations.

Sec. 3.108. (1) A special permit along with a current Michigan deer hunting license for the appropriate season shall be required to hunt deer during any open season within the North Manitou Island deer management unit. Permits to hunt on North Manitou Island shall be applied for by contacting the park superintendent, Sleeping Bear Dunes National Lakeshore. A valid Michigan deer hunting license is required in order to apply. In issuing these free permits, the park superintendent shall serve as the agent of the department to implement the deer hunt on North Manitou Island.

(2) A person shall not sell, lend, or allow another person to use their North Manitou Island special permit, nor shall a person use or attempt to use another person's North Manitou Island special permit.

(3) The park superintendent or his agents shall affix a validation tag to each legally taken deer at the time the hunter leaves North Manitou Island with the deer.

History: Eff. Mar. 31, 1989; Am. 10, 1991, Eff. Sept. 1, 1991; Am. 7, 2004, Eff. June 5, 2004.

3.109 North Manitou Island deer management unit, season limit, exemption.

Sec. 3.109. A person shall not take more than two deer from the North Manitou Island deer management unit of which no more than one shall be an antlered deer. Deer taken from the North Manitou Island deer management unit shall not be included in the season limit as defined in section 3.101(8) of this order. Deer tags issued with the regular deer hunting license shall not be used on North Manitou Island.

History: Eff. Mar. 31, 1989; Am. 15, 1998, Eff. Sept. 10, 1998; Am. 8, 1999, Eff. Sept. 1, 1999; Am. 8, 2003, Eff. June 7, 2003.

3.110 North Manitou Island deer management unit, deer hunting seasons.

Sec. 3.110. (1) The open bow and arrow only deer hunting season shall be from October 1 through the third Sunday of October within the North Manitou Island deer management unit.

(2) The open muzzle-loading and black-powder firearm season shall be from the first Monday following the third Sunday of October through the fourth Sunday of October within the North Manitou Island deer management unit.

(3) The open firearm deer hunting season shall be a total of 15 days from the fourth Sunday of October to 14 days thereafter within the North Manitou Island deer management unit.

History: Eff. Mar. 31, 1989; Am. 10, 1989, Eff. Sept. 1, 1989; Am. 10, 1991, Eff. Sept. 1, 1991; Am. 8, 1999, Eff. Sept. 1, 1999; Am. 9, 2001, Eff. Aug. 1, 2001; Am. 8, 2002, Eff. June 8, 2002; Am. 5, 2005, Eff. May 6, 2005.

3.111 Repealed. Am. 10, 1991, Eff. Sept. 1, 1991.

Publisher's note: The repealed section pertained to North Manitou Island deer management unit, firearm season, hunting periods, permit numbers, and weapon restrictions.

3.112 Shiawassee deer management unit, deer hunting regulations.

Sec. 3.112. A person hunting deer in the Shiawassee deer management unit shall comply with all existing laws and rules regarding the taking of deer including section 13.9 of this order. In addition:

(1) A person shall not hunt deer in the Shiawassee deer management unit without a Shiawassee deer hunting permit.

(2) A person hunting deer within the Shiawassee deer management unit shall comply with all rules and regulations printed on their Shiawassee deer hunting permit.

History: Eff. Mar. 31, 1989; Am. 14, 1989, Eff. Sept. 1, 1989; Am. 13, 1990, Eff. Sept. 1, 1990; Am. 11, 1991, Eff. Sept. 1, 1991.

3.113 Shiawassee deer hunting permits, application process; drawings; unlawful acts.

Sec. 3.113. (1) Shiawassee deer hunting permits will be issued to persons chosen in random drawings from applicants for each hunting period. Permits shall not be transferable to other hunters.

(2) Applications for preregistered hunts in the Shiawassee deer management unit will be in accordance with instructions provided by the department. It shall be unlawful to apply more than once or for more than 1 preregistered deer hunt.

(3) Applications for preregistered deer hunts must be submitted in accordance with instructions no later than September 24.

History: Eff. Mar. 31, 1989; Am. 14, 1989, Eff. Sept. 1, 1989; Am. 13, 1990, Eff. Sept. 1, 1990; Am. 11, 1991, Eff. Sept. 1, 1991; Am. 6, 1995, Eff. Sept. 1, 1995; Am. 9, 1998, Eff. Sept. 1, 1998; Am. 7, 2004, Eff. June 5, 2004.

3.114 Repealed. Am. 11, 1991, Eff. Sept. 1, 1991.

Publisher's note: The repealed section pertained to Shiawassee river state game area, bow and arrow only deer hunt, open season, and permits.

3.115 Repealed. Am. 11, 1991, Eff. Sept. 1, 1991.

Publisher's note: The repealed section pertained to Shiawassee river state game area, firearm deer hunting, open season, and permits.

3.116 Repealed. Am. 6 1998, Eff. May 15, 1998.

Publisher's note: The repealed section pertained to deer management unit 215 early firearm season for antlerless deer.

3.117 Repealed. Am. 6, 1998, Eff. May 15, 1998.

Publisher's note: The repealed section pertained to a late antlerless deer season .

3.118 Repealed. Am. 13, 1990, Eff. Sept. 1, 1990.

Publisher's note: The repealed section pertained to early muzzle-loader and black-powder deer hunting in the Shiawassee national wildlife refuge.

3.120 Repealed. Am. 15, 1998, Eff. Sept. 10, 1998.

Publisher's note: The repealed section pertained to crop bonus deer hunting licenses and deer management assistance (DMA) hunting licenses; criteria for issuance, application procedures, restrictions and requirements; unlawful acts.

3.121 Repealed. Am. 6, 1996, Eff. Sept. 1, 1996.

Publisher's note: The repealed section pertained to Crop depredation bonus deer hunting licenses; revocation, suspension.

3.122 Repealed. Am. 9, 2001, Eff. Aug. 1, 2001.

Publisher's note: The repealed section pertained to experimental deer sealing requirements on Drummond Island; antler restriction; unlawful acts.

3.200 Bear population management, harvest quotas.

Sec. 3.200. The department shall monitor the bear population in each bear management unit described in sections 12.550 to 12.559. The director shall establish an annual harvest quota based upon the management objectives for each unit. The director shall limit the number of resident and nonresident hunters in each unit through an annual lottery in such a manner that the annual quota is removed. Successful applicants shall be notified at least 30 days prior to the opening of the bear hunting season.

History: Eff. Mar. 31, 1989; Am. 1, 1990, Eff. Jan. 15, 1990; Am. 3, 1998, Eff. June 1, 1998.

3.200a Bear license application, age qualifications.

Sec. 3.200a. Only a person who will be 12 years of age or older during a hunt period for taking bear may make application for that hunt period.

History: Am. 2, 1993, Eff. Sept. 1, 1993; Am. 4, 1995, Eff. Sept. 1, 1995; Am. 3, 1998, Eff. June 1, 1998.

3.201 Kill or attempt to kill bear; unused bear kill tag requirement.

Sec. 3.201. The director shall issue a kill tag as part of each bear hunting license when the license authorizes the holder to kill a bear. A person shall not kill or attempt to kill a bear unless the person has an unused bear kill tag issued in their name for the bear management unit in which they are hunting.

History: Eff. Mar. 31, 1989; Am. 1, 1990, Eff. Jan. 15, 1990; Am. 8, 1993, Eff. Sept. 1, 1993; Am. 2, 1994, Eff. Sept. 1, 1994; Am. 3, 1998, Eff. June 1, 1998.

3.202 Bear, season limit defined.

Sec. 3.202. The season limit shall be 1 bear per bear kill tag.

History: Eff. Mar. 31, 1989; Am. 6, 1989, Eff. Sept. 1, 1989; Am. 1, 1990, Eff. Jan. 15, 1990.

3.203 Bear hunting, open seasons, described.

Sec. 3.203. (1) The open season for taking bear with firearms or bow and arrow in the Carney, Bergland, Baraga, Amasa, Gwinn, and Newberry bear management units in zone 1 shall be from September 10 to October 26.

(2) A person shall not take a bear on Bois Blanc Island.

(3) The open season for taking bear in the Drummond Island bear management unit shall be September 10 to September 16.

(4) The open season for taking a bear with firearms or bow and arrow in the Red Oak bear management unit in zone 2 shall be a total of 7 days from the first Friday following September 15 to 6 days thereafter. The open season for taking a bear with bow and arrow only in the Red Oak bear management unit shall be a total of 7 days from the first Friday following October 1 to 6 days thereafter.

(5) The open season for taking a bear with firearms or bow and arrow in the Baldwin and Gladwin bear management units in zone 2 shall be a total of 7 days from the first Friday following September 15 to 6 days thereafter.

(6) There shall be no open season for the taking of bear in the Dansville bear management unit.

History: Eff. Mar. 31, 1989; Am. 1, 1990, Eff. Jan. 15, 1990; Am. 1, 1992, Eff. May 1, 1992; Am. 8, 1993, Eff. Sept. 1, 1993; Am. 2, 1994, Eff. Sept. 1, 1994; Am. 4, 1995, Eff. Sept. 1, 1995; Am. 8, 1996, Eff. Sept. 1, 1996; Am. 3, 1998, Eff. June 1, 1998.

3.204 Repealed, Am. 14, 1999, Eff. Oct. 1, 1999.

3.205 Bear; unlawful acts.

Sec. 3.205. (1) It shall be unlawful to establish or tend a bait station that attracts bear prior to 31 days before the bear hunting season in any management unit. It also shall be unlawful to tend or establish a bait station for the purposes of attracting bear after the close of bear season in any management unit. For the purposes of this section, "bait station" means a site where food or lure is placed that may attract bear.

(2) It shall be unlawful to hunt over an illegal bait. For the purposes of this section, "illegal bait" means bait that attracts bear prior to the legal baiting period defined in subsection (1); or is not placed on the ground on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, sections 324.51101 to 324.51120 of the Michigan Compiled Laws; or contains plastic, any wood products, paper, glass, rubber, concrete, or metal on public or commercial forest lands; or has, within 100 yards of the bait site, any containers used to transport bait to the baiting site.

(3) It shall be unlawful to hunt over bait that contains any food materials other than meats, meat products, fish, fish products, or bakery products if the bait is placed in an area when it is unlawful to feed deer or elk or bait deer. In an area where the baiting of deer, or feeding of deer or elk, is regulated by this order or state law, a person may hunt over, place, establish or tend a bait station using food materials that lure, entice or attract deer or elk only if the

person uses these food materials in compliance with the volume, bait type, placement, scattering and other requirements which apply to the baiting or feeding of deer. Notwithstanding the provisions of this subsection regarding the use of food materials which may lure, entice or attract deer or elk, a person may, except for those counties listed in subsection 3.100(5), use up to 2 gallons of grains at any 1 point in time per bait station prior to October 1 if the grains are placed on the ground in such a manner as to exclude wild, free-ranging white-tailed deer and elk from gaining access to the grains.

(4) It shall be unlawful to use metal containers, tires, plastic, wood, glass, fabric, cloth, concrete, or paper at a bait station on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, sections 324.51101 to 324.51120 of the Michigan Compiled Laws;

(5) It shall be unlawful to place bait other than on the ground at bait stations on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(6) Any containers used to transport bait to the bait station must be removed and disposed of properly.

(7) It shall be unlawful for any person or their authorized representative to establish or tend more than 3 bait stations.

(8) It shall be unlawful for any nonresident to assist in any manner another person in taking bear for a fee or other consideration or service of value, either directly or indirectly.

(9) It shall be unlawful for a person that transfers their success in the bear lottery to a minor hunter or adult hunter with an advanced illness to assist the minor hunter or adult hunter with an advanced illness in any manner in taking bear for a fee or other consideration or service of value, either directly or indirectly.

(10) It shall be unlawful for a person to buy or sell success in the bear license lottery, or an adult to acquire a license after being unsuccessful in the lottery, unless the person has received from a physician a written statement of advanced illness which shall be produced upon the request of a peace officer.

(11) It shall be unlawful to take a cub bear. "Cub bear" means a bear less than 1 year of age. It shall be unlawful to take a female bear accompanied by a cub bear.

(12) It shall be unlawful to disturb, harm, or molest a bear in its den at any time.

(13) A person shall not pursue, capture, shoot, kill, chase, follow, harass, or harm a bear while the bear is swimming in a pond, lake, stream, or other body of water.

History: Eff. Mar. 31, 1989; Am. 6, 1989, Eff. Sept. 1, 1989; Am. 1, 1990, Eff. Jan. 15, 1990; Am. 8, 1993, Eff. Sept. 1, 1993; Am. 19, 1993, Eff. Sept. 10, 1993; Am. 2, 1994, Eff. Sept. 1, 1994; Am. 4, 1995, Eff. Sept. 1, 1995; Am. 14, 1999, Eff. Oct. 1, 1999; Am. 1, 2002, Eff. Feb. 11, 2002; Am. 1, 2003, Eff. Apr. 12, 2003; Am. 10, 2005, Eff. June 5, 2005.

3.206 Bear tagging; requirements; unlawful acts.

Sec. 3.206. A person who kills a bear shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the lower jaw of the bear in a secure and permanent manner. The tag shall remain attached to the bear until the bear is sealed and registered at a designated check station. Except as provided in this subsection for the removal of a seal, it shall be unlawful to possess a bear that is not tagged with a validated kill tag or a bear that is not sealed as required by section 3.207. Once sealed by the department, the seal shall remain attached to the bear until any 1 of the following conditions are met:

(a) The carcass is processed or butchered for consumption by an individual for their personal use.

(b) The carcass is accepted for processing and recorded by a commercial processor. If the head or hide is returned to the person submitting the animal to the commercial processor, the seal shall accompany the head or hide.

(c) The carcass is accepted for processing and recorded by a taxidermist.

History: Eff. Mar. 31, 1989; Am. 1, 1990, Eff. Jan. 15, 1990; Am. 2, 1994, Eff. Sept. 1, 1994; Am. 6, 1998, Eff. May 15, 1998.

3.207 Bear sealing; requirements.

Sec. 3.207. A person killing a bear shall present the entire bear, or head, at a department office or other designated check station within 72 hours after killing the bear. The field validation kill tag must be attached to the bear. A confirming seal shall be attached to the bear by the department registrar and information shall be obtained from the hunter.

History: Eff. Mar. 31, 1989; Am. 6, 1989, Eff. Sept. 1, 1989; Am. 1, 1990, Eff. Jan. 15, 1990; Am. 2, 1994, Eff. Sept. 1, 1994; Am. 1, 2002, Eff. Feb. 11, 2002.

3.208 Repealed. Am. 1, 1990, Eff. Jan. 15, 1990.

Publisher's note: The repealed section pertained to bear hunting.

3.209 Repealed. Am. 1, 1990, Eff. Jan. 15, 1990.

Publisher's note: The repealed section pertained to bear hunting.

3.210 Repealed. Am. 1, 1990, Eff. Jan. 15, 1990.

Publisher's note: The repealed section pertained to bear hunting.

3.211 Repealed. Am. 1, 1990, Eff. Jan. 15, 1990.

Publisher's note: The repealed section pertained to bear hunting.

3.300 Wild turkey or hybrids; unlawful to release or allow to escape, exception.

Sec. 3.300. A person shall not release or allow any wild turkey or wild turkey hybrid to escape in this state. This section shall not apply to authorized employees of the department working within the performance of their job.

History: Eff. Mar. 31, 1989.

3.300a Wild Turkey population, harvest quotas.

Sec 3.300a. (1)The spring wild turkey hunt seasons and quotas for general licenses valid on all land within the listed unit shall be as follows:

2006 SPRING WILD TURKEY HUNT SEASONS AND QUOTAS

LIMITED QUOTA HUNT PERIODS

General Licenses

HUNT NUMBERS	OPEN UNIT	OPEN SEASON	MAXIMUM LICENSE QUOTA
101	A	April 17-April 30	2,500
102	AA	April 17-April 23	700
103	AA	April 24-April 30	700
104	B	April 17-April 30	4,000
105	E	April 17-April 23	850
106	E	April 24-April 30	850
107	F	April 17-April 23	3100
108	F	April 24-April 30	3100
109	J	April 17-April 23	2,000
110	J	April 24-April 30	2,000
111	K	April 17-April 23	4,000
112	K	April 24-April 30	4,500
113	L	April 17-April 23	500
114	L	April 24-April 30	500
115	L	May 1-May 7	500
116	L	May 8-May 31	500
117	M	April 17-April 23	550
118	M	April 24-April 30	450

119	MA	April 17-April 23	350
120	MA	April 24-April 30	350
121	N	April 17-April 23	1,200
122	N	April 24-April 30	1,000
123	O	April 17-April 23	750
124	O	April 24-April 30	450
125	P	April 17-April 23	150
126	P	April 24-April 30	150
127	P	May 1-May 7	150
128	P	May 8-May 31	150
129	Q	April 17-April 23	450
130	Q	April 24-April 30	500
131	Q	May 1-May 7	500
132	Q	May 8-May 31	500
133	QD	April 17-April 23	10
134	QD	April 24-April 30	10
135	QD	May 1-May 7	10
136	QD	May 8-May 31	10
137	R	April 17-April 23	100
138	R	April 24-April 30	100
139	R	May 1-May 7	100
140	R	May 8-May 31	100
141	RA	April 17-April 23	10
142	RA	April 24-April 30	10
143	RA	May 1-May 7	10
144	RA	May 8-May 31	10
145	T	April 17-April 23	400
146	T	April 24-April 30	450
147	T	May 1-May 7	450
148	T	May 8-May 31	400
149	U	April 17-April 23	300
150	U	April 24-April 30	300
151	U	May 1-May 7	300
152	U	May 8-May 31	300
153	UA	April 17-April 23	275
154	UA	April 24-April 30	275
155	UA	May 1-May 7	275
156	UA	May 8-May 31	275
157	UB	April 17-April 23	50
158	UB	April 24-April 30	50
159	UB	May 1-May 7	50
160	UB	May 8-May 31	50
161	W	April 17-April 23	400
162	W	April 24-April 30	400
163	W	May 1-May 7	200
164	W	May 8-May 31	200
165	X	April 17-April 23	440
166	X	April 24-April 30	440
167	X	May 1-May 7	440
168	X	May 8-May 31	440
169	Z	April 17-April 23	125
170	Z	April 24-April 30	125
171	Z	May 1-May 7	125
172	Z	May 8-May 31	125
173	ZA	April 17-April 23	150

174	ZA	April 24-April 30	150
175	ZA	May 1-May 7	150
176	ZA	May 8-May 31	150

(2) The spring wild turkey hunt seasons and quotas for private land only licenses which are not valid on county, state or federal lands, except that they may be used to hunt Fort Custer military lands with permission, shall be as follows:

LIMITED QUOTA HUNT PERIODS Private Land Only Licenses

HUNT NUMBERS	OPEN UNIT	OPEN SEASON	MAXIMUM LICENSE QUOTA
201	M	April 17-April 23	450
202	M	April 24-April 30	450
203	O	April 17-April 23	800
204	O	April 24-April 30	800
301	ZZ	April 17-April 30	65,000

(3) All applicants for hunt period 234, May 1 through May 31, shall be guaranteed a statewide hunting license valid on all land ownerships in spring turkey management units, except public lands in Southern Lower Peninsula Wild Turkey Management Unit (Unit ZZ). Applicants for hunt period 234 may hunt Fort Custer military land with permission.

(4) Hunt number 234 may be purchased during the application period, selected by the applicant as a second choice during the application period, or purchased by an applicant that was not chosen in the license lottery with any other leftover licenses that may be available.

(5) Quotas for all hunt numbers may be adjusted based on winter population surveys and the quota for hunt number 301 (Unit ZZ) may be adjusted based on application rate.

History: Am. 3, 1991, Eff. June 1, 1991; Am. 8, 1997, Eff. Jan. 1, 1998; Am. 6, 2003, Eff. May 10, 2003; Am. 20, 2005, Eff. Dec. 2, 2005; Am. 23, 2005, Eff. Dec. 2, 2005.

3.301 Wild turkey hunting, unlawful acts; exceptions.

Sec. 3.301. (1) A person hunting wild turkey shall not use or possess afield an electronic device to simulate, replicate or imitate wild turkey calls or sounds, or an electronic, mechanical or live decoy. It shall be unlawful to use a dog to hunt wild turkey during the spring season. It shall be unlawful to take a wild turkey while the wild turkey is in a tree. It shall be unlawful to make use of bait to aid in the taking of a wild turkey. For the purposes of this regulation, "bait" means a substance composed of grain, fruit, vegetables, or other food placed to lure or entice wild turkeys. This does not apply to standing farm crops under normal agricultural practices, or other natural growing grains, fruits, or vegetables. For the purposes of this section, "mechanical decoy" means any device that by design or construction uses motion as a visual stimulus to attract a wild turkey except a wind sock or similar decoy body anchored at a fixed point into the ground and whose only motion is derived exclusively by power of the natural wind.

(2) A person may only take a wild turkey during the spring open season if the turkey has a beard and is taken within the unit and hunt period specified on the spring wild turkey license issued to that person. A person shall not take or possess more than one bearded turkey during the spring wild turkey season.

(3) A person may only take a wild turkey during the fall open season if the turkey is taken within the unit and hunt period specified on the fall wild turkey license issued to that person. A person shall not take or possess more than one turkey during the fall wild turkey season for each validation tag issued to that person.

History: Eff. Mar. 31, 1989; Am. 21, 1989, Eff. Jan. 1, 1990; Am. 3, 1991, Eff. June 1, 1991; Am. 2, 1993, Eff. Sept. 1, 1993; Am. 20, 1993, Eff. Apr. 1, 1994; Am. 15, 1999, Eff. Jan. 1, 2000; Am. 18, 2004, Eff. Nov. 4, 2004.

3.302 Wild turkey; lawful possession; validation of license; unlawful acts.

Sec. 3.302. (1) Immediately upon killing a turkey, a person shall validate their license by notching out the appropriate information as instructed on the license and shall securely attach the license around a leg of the bird.

(2) It shall be unlawful to possess or transport a turkey unless the turkey license is securely attached to a leg of the turkey and the appropriate information is notched on the turkey license.

(3) The holder of a private land turkey license shall only take a turkey on privately owned lands and enclosed controlled-access military lands within the management unit and during the hunting period specified on the private land turkey license.

History: Eff. Mar. 31, 1989; Am. 21, 1989, Eff. Jan. 1, 1990; Am. 19, 1990, Eff. Oct. 15, 1990; Am. 11, 1992, Eff. Oct. 8, 1992; Am. 16, 1998, Eff. Jan. 1, 1999; Am. 6, 2003, Eff. May 10, 2003; Am. 18, 2004, Eff. Nov. 4, 2004.

3.303 Wild turkey, fall management units open season.

Sec. 3.303. The open season for taking wild turkey in the fall wild turkey management units described in chapter XII shall start no earlier than the first Monday following October 1 and shall close no later than November 14.

History: Eff. Mar. 31, 1989; Am. 1, 1989, Eff. June 1, 1989; Am. 3, 1991, Eff. June 1, 1991; Am. 8, 2005, Eff. May 6, 2005.

3.304 Wild turkey, spring management units open season.

Sec. 3.304. The open season for taking wild turkey in the spring wild turkey management units described in chapter XII shall start no earlier than the Monday closest to April 20 and shall close no later than June 7.

History: Eff. Mar. 31, 1989; Am. 1, 1989, Eff. June 1, 1989; Am. 3, 1990, Eff. June 1, 1990; Am. 3, 1991, Eff. June 1, 1991; Am. 10, 1995, Eff. Jan. 1, 1996; Am. 16, 1998, Eff. Jan. 1, 1999; Am. 6, 2003, Eff. May 10, 2003.

3.305 Repealed. Am. 1, 1989, Eff. June 1, 1989.

Publisher's note: The repealed section pertained to leftover licenses and procedures.

3.306 Repealed. Am. 3, 1991, Eff. June 1, 1991.

Publisher's note: The repealed section pertained to wild turkey, spring open season; permitted act; season limit, unlawful act.

3.307 Repealed. Am. 3, 1991, Eff. June 1, 1991.

Publisher's note: The repealed section pertained to wild turkey, spring open seasons; hunt units; general hunter quotas; restricted hunter quotas.

3.308 Wild turkey licenses, applications, availability; partner application provided; application deadline; unlawful act; notification of successful applicants.

Sec. 3.308. (1) Applications for turkey licenses will be available at department license-issuing offices and license dealers one month prior to the application deadline. Only a person who will be 12 years of age or older during a hunt period for taking wild turkey may make application for that hunt period.

(2) The nonrefundable application fee for a wild turkey license is \$4.00.

(3) An option to apply with one partner will be provided.

(4) Applications must be made on or before February 1 of the calendar year for which the applicant desires a spring wild turkey license.

(5) Applications must be made on or before August 1 of the calendar year for which the applicant desires a fall wild turkey license.

(6) Successful applicants will be notified by mail and may purchase their license from any license dealer.

(7) It shall be unlawful for any individual to apply more than once for a Michigan spring wild turkey hunting license.

(8) It shall be unlawful for any individual to apply more than once for a Michigan fall wild turkey hunting license.

History: Eff. Mar. 31, 1989; Am. 1, 1989, Eff. June 1, 1989; Am. 2, 1993, Eff. Sept. 1, 1993; Am. 3, 1995, Eff. Sept. 1, 1995; Am. 8, 1997, Eff. Jan. 1, 1998; Am. 6, 2003, Eff. May 10, 2003.

3.309 Repealed, Am. 6, 2003, Eff. May 10, 2003:

Compilers Note: This repealed section pertained to wild turkey licensees, state law requirements; leftover licenses and procedures.

3.310 Taking wild turkey; firearms, bow and arrow, ammunition; unlawful acts.

Sec. 3.310. Subject to section 43510, subsections (2) and (3), of Part 435, as amended, hunting and fishing licensing, MCL 324.43510, a person shall not use or carry afield a firearm other than a firearm designed and manufactured to fire a fixed shotgun shell or a muzzleloading shotgun while taking wild turkey. A bow and arrow may be used to take wild turkey. A person shall not use or carry afield any ammunition except shotgun shells loaded with no. 4 or smaller shot or no. 4 or smaller loose shot for use in muzzleloading shotguns while taking wild turkey.

History: Eff. Mar. 31, 1989; Am. 15, 1991, Eff. Oct. 9, 1991; Am. 17, 2000, Eff. Nov. 10, 2000; Am. 2, 2005, Eff. Mar. 11, 2005.

3.400 Director authority to amend orders regarding migratory game birds.

Sec. 3.400. As needed, the director shall amend orders regarding the taking of migratory game birds to keep this order consistent with federal regulations.

History: Am. 6, 1997, Eff. Sept. 1, 1997.

3.401 Waterfowl hunting blinds; erection and removal, name and address; assessment of costs; hunting rights.

Sec. 3.401. (1) No person shall erect on, anchor, or attach to the bottomlands of the Great Lakes, Lake St. Clair, and the bays thereof or the connecting waters between the lakes, or any public inland lake or river, or in any lake which is not wholly owned by himself, his lessor or licensor, a blind or any other structure used or to be used in the hunting of migratory waterfowl, unless there shall first be affixed permanently to the exterior thereof the name and address of such person in legible letters of water insoluble material not less than 3 inches in height. No person shall affix a fictitious name or address or both to a blind or structure or remove or cause to be removed a name and address prior until the blind or structure is removed from the water. No person shall erect on, anchor, or attach to the bottomlands described in this subsection a blind or any other structure to be used in the hunting of migratory waterfowl prior to August 15 of each year.

(2) Any person who shall erect, anchor, or attach such blind or structure to the bottomlands described in this section shall remove the entire blind including submerged supporting members each year no later than 16 days after the end of the calendar year. If not removed within that time, the director may cause its removal or destruction and assess the costs of removal and storage, or destruction, against the person whose name is affixed to the blind or other structure, in addition to any other penalty provided by law. Any structure used or to be used in the hunting of migratory waterfowl found erected upon, attached, or anchored to bottomlands described in this section from January 17 to August 14 of each year shall be considered abandoned.

(3) Nothing contained in this section shall be construed to deprive a riparian owner or their lessee or permittee on inland waters of their exclusive right to hunt over the riparian's subaqueous lands, nor shall the posting of the name and address of the person erecting a blind or other structure attached to the bottomlands of the Great Lakes and Lake St. Clair, used or to be used in the hunting of waterfowl, be deemed to constitute the exclusive privilege of hunting therefrom, or to reserve or preempt a shooting location for such person, nor shall such blind be locked to bar use when unoccupied. An unoccupied blind attached to the bottomlands of the Great Lakes or Lake St. Clair may be used for hunting by the first person to occupy the same.

(4) It shall be unlawful to use, occupy, or hunt from a blind or structure which does not meet the requirements established in this section. This section shall not apply to a vessel registered as required by the provisions of part 801, marine safety, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.80101 to 324.80199 of the Michigan Compiled Laws.

(5) On those publicly-owned lands and waters of the Kalamazoo river watershed, including the watersheds of Pine creek and Swan creek, Allegan county, blinds or other structures for waterfowl hunting shall not be permitted, except in accordance with rules for the Ottawa marsh, described in subsection 13.11(4).

History: Eff. Mar. 31, 1989; Am. 14, 1996, Eff. Sept. 1, 1996; Am. 11, 1998, Eff. Aug. 1, 1998; Am. 13, 2001, Eff. Sept. 1, 2001.

3.402 Taking of migratory birds, unlawful acts.

Sec. 3.402. In the taking of migratory birds, it shall be unlawful for any person:

Federal migratory bird hunting stamp, requirement; validation; prohibited acts.

(1) Sixteen years of age or older to take waterfowl unless at the time of such taking the person has in their possession an unexpired federal migratory bird hunting stamp, validated by their signature written across the face thereof in ink.

Federal migratory bird stamp, prohibited acts.

(2) To allow another person to use their federal migratory bird hunting stamp or to borrow such stamp of another for the purpose of hunting, taking, or transporting migratory waterfowl.

Decoys, prohibited act.

(3) Except from 3 a.m. to 9 p.m. daily, to anchor, attach, or leave decoys attached:

(a) To the bottomlands of the Great Lakes and connecting waters, and lakes wholly enclosed by publicly-owned lands.

(b) To a blind or watercraft within waters of the Great Lakes and connecting waters, and lakes wholly enclosed by publicly-owned lands.

Migratory game birds, prohibited acts.

(4) To take any migratory game bird, including woodcock:

(a) With any firearm other than a 10 gauge or smaller shotgun capable of holding no more than three shells. Shotguns capable of holding more than 3 shells shall be plugged with a one-piece filler, incapable of removal without disassembling the gun, so that the total capacity of the shotgun does not exceed three shells.

(b) With the use of any single projectile shotshell, or more than 1 firearm for each person.

(c) In violation of section 40111, part 401, wildlife conservation, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.40111 of the Michigan Compiled Laws, except that paraplegics and single or double amputees of the legs possessing a permit to take game from or upon a standing vehicle issued pursuant to section 40114, part 401, may take migratory birds from any stationary motor vehicle or stationary motor-driven land conveyance. "Paraplegic" means an individual afflicted with paralysis of the lower half of the body with involvement of both legs, usually due to disease of or injury to the spinal cord.

(d) From or by means of any motorboat, power boat, or other craft having a motor attached, or any sailboat, or any floating craft or device of any kind propelled or towed by power or sail, unless the motor has been completely shut off and/or the sails furled and its progress therefrom has ceased. A craft under power may be used to retrieve dead or crippled birds; however, crippled birds may not be shot from such craft while under power or until forward progress has ceased.

(e) By driving, rallying, or chasing birds with any motorized conveyance or any sailboat to put them in the range of hunters.

(f) By the use or aid of live decoys. All live, tame, or captive ducks and geese shall be removed for a period of 10 consecutive days prior to hunting and confined within an enclosure which substantially reduces the audibility of their calls and totally conceals such tame birds from the sight of migratory waterfowl.

(g) By the use or aid of recorded or electronically amplified bird calls or sounds, or recorded or electronically amplified imitations of bird calls or sounds.

(h) By the aid of baiting, or on or over any baited area, where a person knows or reasonably should know that the area is or has been baited. Hunters should be aware that a baited area is considered to be baited for 10 days after the removal of the bait. However, nothing in this paragraph prohibits the taking of any migratory game bird on or over the following lands or areas that are not otherwise baited areas:

(i) Standing crops or flooded standing crops (including aquatics); standing, flooded, or manipulated natural vegetation; flooded harvested croplands; or lands or areas where seeds or grains have been scattered solely as the result of a normal agricultural planting, harvesting, post-harvest manipulation or normal soil stabilization practice.

(ii) From a blind or other place of concealment camouflaged with natural vegetation.

(iii) From a blind or other place of concealment camouflaged with vegetation from agricultural crops, as long as such camouflaging does not result in the exposing, depositing, distributing or scattering of grain or other feed.

(iv) Standing or flooded standing agricultural crops where grain is inadvertently scattered solely as a result of a hunter entering or exiting a hunting area, placing decoys, or retrieving downed birds.

(i) Subdivision (h) shall not prohibit the taking of any migratory game bird, except waterfowl and coots, on or over lands or areas that are not otherwise baited areas, and where grain or other feed has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, or solely as the result of a normal agricultural operation.

(j) By use of a raised platform when hunting with a firearm, except upon the submerged bottomlands of a lake, river, pond, stream, or other body of water for the hunting of migratory waterfowl when erected and used in compliance with section 3.401 of this order.

(k) For the purposes of this section, the following terms mean:

(i) "Normal agricultural planting, harvesting, or post-harvest manipulation" means a planting or harvesting undertaken for the purpose of producing and gathering a crop, or manipulation after such harvest and removal of grain, that is conducted in accordance with official recommendations of State Extension Specialists of the Cooperative Extension Service of the U.S. Department of Agriculture.

(ii) "Normal agricultural operation" means a normal agricultural planting, harvesting, post-harvest manipulation, or agricultural practice, that is conducted in accordance with official recommendations of State Extension Specialists of the Cooperative Extension Service of the U.S. Department of Agriculture.

(iii) "Normal soil stabilization practice" means a planting for agricultural soil erosion control or post-mining land reclamation conducted in accordance with official recommendations of State Extension Specialists of the Cooperative Extension Service of the U.S. Department of Agriculture for agricultural soil erosion control.

(iv) "Baited area" means any area on which salt, grain, or other feed has been placed, exposed, deposited, distributed, or scattered, if that salt, grain, or other feed could serve as a lure or attraction for migratory game birds to, on, or over areas where hunters are attempting to take them. Any such area will remain a baited area for ten days following the complete removal of all such salt, grain, or other feed.

(v) "Baiting" means the direct or indirect placing, exposing, depositing, distributing, or scattering of salt, grain, or other feed that could serve as a lure or attraction for migratory game birds to, on, or over any areas where hunters are attempting to take them.

(vi) "Manipulation" means the alteration of natural vegetation or agricultural crops by activities that include but are not limited to mowing, shredding, disking, rolling, chopping, trampling, flattening, burning, or herbicide treatments. The term manipulation does not include the distributing or scattering of grain, seed, or other feed after removal from or storage on the field where grown.

(vii) "Natural vegetation" means any non-agricultural, native, or naturalized plant species that grows at a site in response to planting or from existing seeds or other propagules. The term natural vegetation does not include planted millet. However, planted millet that grows on its own in subsequent years after the year of planting is considered natural vegetation.

History: Eff. Mar. 31, 1989; Am. 11, 1998, Eff. Aug. 1, 1998; Am. 13, 1999, Eff. Sept. 1, 1999; Am. 13, 2001, Eff. Sept. 1, 2001.

3.403 Migratory game birds; transportation; importation; unlawful acts.

Sec. 3.403. One fully feathered wing must remain attached to all migratory game birds being transported between a port of entry and one's home or to a migratory bird preservation facility. No person shall import migratory game birds killed in any foreign country, except Canada, unless such birds are dressed (except as required above), drawn, and the head and feet are removed. A person importing waterfowl from Canada may possess the total number of birds Canadian law allows the person to export. No person shall import migratory game birds belonging to another person.

History: Eff. Mar. 31, 1989; Am. 2., 1993, Eff. Sept. 1, 1993.

3.404 Migratory game birds; possession; transportation.

Sec. 3.404. A person shall not possess or transport more than the daily limit of migratory birds, tagged or not tagged, at or between the place where taken and either:

(1) The person's automobile or principal means of land transportation.

(2) The person's personal abode or temporary or transient place of lodging.

(3) A commercial preservation facility, or a post office or common carrier facility, whichever one is arrived at first.

History: Eff. Mar. 31, 1989; Am. 11, 1998, Eff. Aug. 1, 1998.

3.405 Migratory game birds; tagging requirements; transportation requirements.

Sec. 3.405. (1) No person shall give, put, or leave any migratory game birds at any place or in the custody of another person, nor shall a person receive or have in their custody migratory game birds, unless the birds are tagged by the hunter with all of the following information:

(a) The hunter's signature.

(b) The hunter's address.

(c) The total number of birds involved by species.

(d) The dates such birds were killed.

(e) Current small game license number.

(2) A person shall not transport any dressed or plucked migratory game bird unless one fully feathered wing is attached.

History: Eff. Mar. 31, 1989; Am. 11, 1998, Eff. Aug. 1, 1998.

3.406 Migratory game birds, shipping requirements.

Sec. 3.406. No person shall ship migratory game birds unless the package is marked on the outside with all of the following information:

(1) The name and address of the person sending the birds.

(2) The name and address of the person to whom the birds are being sent.

(3) The number of birds, by species, contained in the package.

History: Eff. Mar. 31, 1989; Am. 11, 1998, Eff. Aug. 1, 1998.

3.407 Repealed. Am. 3 1996, Eff. Apr. 11, 1996

Publisher's Note: The repealed section pertained to migratory game birds, possession of live birds.

3.408 Repealed. Am. 3 1996, Eff. Apr. 11, 1996

Publisher's Note: The repealed section pertained to game animals, wanton waste.

3.409 Migratory game bird open season, federal refuges; prohibited acts, exception.

Sec. 3.409. A person shall not possess or carry firearms or bow and arrow, or take any game during the open season for taking migratory game birds on any national wildlife refuge when posted to prohibit unauthorized entry; except on that portion of the Shiawassee national wildlife refuge in Saginaw county on which duck and/or goose hunting is authorized by a daily hunting permit issued by the United States fish and wildlife service or the department.

History: Eff. Mar. 31, 1989.

3.411 Nontoxic shot; unlawful acts.

Sec. 3.411. (1) While taking ducks, geese, coots, mergansers, gallinules, rails, or snipe, a person shall not possess or use any shot, whether loose or loaded in shot shells, of a material other than shot approved as non-toxic by the U. S. fish and wildlife service pursuant to federal procedures.

History: Eff. Mar. 31, 1989; Am. 14, 1996, Eff. Sept. 1, 1996; Am. 5, 1997, Eff. Aug. 1, 1997; Am. 13, 2005, Eff. July 8, 2005.

3.412 Early September season for taking Canada geese; season dates and closures, exceptions.

Sec. 3.412. The early September season for taking Canada geese shall be September 1 to September 15 in the Lower Peninsula and September 1 to September 10 in the Upper Peninsula, except as follows:

State game areas.

(1) Within the posted boundaries of the following state game areas (SGA), the season shall be closed:

(a) The Highbanks, Fennville farm, and Bravo units of the Allegan SGA as described in section 13.11.

Muskegon county wastewater system management unit; Saginaw bay unit.

(2) The Muskegon county wastewater system management unit, as posted, shall be closed. The Saginaw bay unit, as described in section 12.708, shall be open September 1 to September 10.

State parks closed; exceptions listed, the day following Labor day to September 15 open season.

(3) Except as otherwise provided in this subsection and subsections (4), (5) and (6), all state parks shall be closed. All or portions of the following state parks, as described in chapter VII, shall be open from the day following Labor day to September 15:

(a) Cheboygan state park.

(b) Fisherman's Island state park.

(c) Hoefft state park.

(d) Leelanau state park.

(e) Ludington state park.

(f) Sturgeon Point state park.

(g) Wilderness state park.

(h) Silver Lake state park, except there shall be no taking of any animals within the off-road vehicle area, Silver lake beach and modern camping area, park residences, lighthouse area, and headquarters area as posted.

(i) South Higgins Lake state park, except for that area north of county roads 100 and 104 as posted.

(j) Seven Lakes state park, except there shall be no taking of animals within 450 feet of any boat launch, campground, beach, parking area, or picnic area from the day following Labor day to September 15.

State parks open from the day following Labor day to September 10.

(4) All or portions of the following state parks, as described in chapter VII, shall be open from the day following Labor day to September 10:

- (a) Brimley state park.
- (b) Fayette state park.
- (c) Indian Lake state park.
- (d) Palms book state park.
- (e) Laughing whitefish falls scenic site.
- (f) Tahquamenon falls state park.
- (g) Wagner falls scenic site.
- (h) Craig Lake state park.
- (i) McLain state park.
- (j) Porcupine mountains state park.
- (k) Van Riper state park.

Sterling state park; day following Labor day to September 15 open season; open areas, exceptions.

(5) That portion of Sterling state park, as described in section 7.35(2), shall be open from the day following Labor day to September 15, except there shall be no taking of any animals within posted safety zones, north and east of the park entrance road, or after 10:00 a.m. on those areas west of the park entrance road as posted; further, shooting from the east shore of the lagoons shall be in a westerly direction only.

State parks, open areas; September 1 to September 15 open season, exceptions.

(6) Except as otherwise provided, all or portions of the following state parks, as described in chapter VII, shall be open from September 1 to September 15:

- (a) Sleepy Hollow state park, except there shall be no taking of animals after 8:00 a.m. from September 1 to Labor day in that area north of Price road or within posted safety zones.
- (b) Grand Mere state park, all state-owned lands in Grand Mere state park except those lands posted closed to hunting.
- (c) Thompson's Harbor state park.
- (d) Negwegon state park.

State recreation areas open, exceptions; September 1 to September 15 open season, exceptions.

(7) Those state recreation areas described in chapter VII as closed to the taking of animals shall be closed during the early September hunting season for Canada geese. All other state recreation areas not within the Saginaw bay unit shall have an open season from September 1 to September 15, except for those portions of the following areas which shall be closed and shall be posted in such a manner and at such locations as will provide reasonable notice of the closure to the public:

(a) Waterloo recreation area, in addition to those areas closed to the taking of animals by section 7.52, there shall be no taking of animals from September 1 to September 15 within 450 feet of any boat launch, campground, beach, parking area, or picnic area in the high use areas at Green, Sugar Loaf, and Crooked lakes.

(b) Lake Hudson recreation area shall be closed to the taking of animals in that portion of the park bounded on the south by the park entrance road, on the east by the picnic area road, by the campground on the west, and the lakeshore on the north from September 1 to Labor day. In addition, there shall be no taking of animals within 450 feet of any campground, boat launch, beach, parking area, or picnic area from September 1 to September 15.

(c) Pontiac Lake recreation area shall be closed to the taking of animals after 8:00 a.m. from September 1 to Labor day on all those state-owned lands in section 18, T3N R9E. In addition, there shall be no hunting at any time during the early September Canada goose season on those state-owned lands in sections 12 and 13, T3N R8E, south of Gale road; or on those state-owned lands in that area bounded on the north by the park entrance road, on the north and east by Cross road and Macaday lake road, on the south by Gale road, and on the west by the north-south mid-section line of section 11, T3N R8E, or within safety zone areas as posted.

(d) Island Lake recreation area shall be closed to the taking of animals during September 1 to Labor day. In addition, there shall be no taking of any animals on those state-owned lands and waters north of the Chesapeake and Ohio railroad tracks in sections 4 and 5 and the W 1/3 of the NW 1/4 of section 3, T1N R6E, at any time during the early September Canada goose season. Kent lake shall be closed to the taking of animals within 450 feet of the swimming beaches, parking areas, boat launches, picnic sites, and campsites from the day following Labor day to September 15.

(e) Highland recreation area shall be closed to the taking of animals in the Haven Hill unit normally posted closed to hunting.

(f) Proud Lake recreation area, in addition to those areas closed to the taking of animals by section 7.57, and areas posted as safety zones, there shall be no taking of animals after 8:00 a.m. from September 1 to Labor day in that area west and south of Wixom road.

(g) Holly recreation area shall be closed to the taking of animals from September 1 to Labor day on all those state-owned lands bounded on the north and west by Grange hall road, on the east by Wildwood road, and on the south and west by Dixie highway.

(h) Ionia recreation area shall be closed to the taking of animals from September 1 to Labor day within 450 feet of any campsite, picnic areas, beach, parking area, or boat launch. In addition, no animals shall be taken from the day after Labor day to September 15 after 8:00 a.m. within 450 feet of any campsite, picnic area, beach, parking area, or boat launch.

(i) Metamora-Hadley recreation area shall be closed to the taking of animals from September 1 to Labor day. In addition, there shall be no taking of animals from the day following Labor day to September 15 within 450 feet of any campsite, boat launch, parking area, picnic area, or beach.

(j) Ortonville recreation area shall be closed to the taking of animals from September 1 to Labor day on Big Fish lake and Algae lake. In addition, there shall be no taking of animals from September 1 to September 15 within 450 feet of any campsite, boat launch, beach, parking area, or picnic area.

(k) Pinckney recreation area shall be closed to the taking of animals from September 1 to Labor day within 450 feet of any state-owned boat launch, campground, beach, parking area, or picnic area at Bruin, Half Moon, and Silver lakes.

(l) Brighton recreation area shall be closed to the taking of animals from September 1 to Labor day on all those state-owned lands and waters east of Richardson road.

(m) Yankee Springs recreation area, in addition to those areas closed to the taking of animals as described in section 7.59, a person shall not take any animal from any state-owned lands or waters in the Yankee Springs recreation area from September 1 to Labor day.

(n) Fort Custer recreation area, in addition to those areas closed to the taking of animals as described in section 7.60, a person shall not take any animal from any state-owned lands or waters in the Fort Custer recreation area from September 1 to Labor day.

(o) Bald Mountain recreation area is closed to the taking of animals after 8:00 a.m. from September 1 to Labor day on those portions of the Bald Mountain recreation area east of highway M-24. In addition, there shall be no taking of animals within any posted safety zone.

(p) The Rifle river recreation area shall be closed to the taking of animals from September 1 to Labor day.

Rose Lake wildlife research area, September 1 to September 15 open season.

(8) Notwithstanding R 299.1004 of the Michigan Administrative Code, appearing on pages 173 and 174 of the 1986 Annual Supplement to the 1979 Michigan Administrative Code, the Rose Lake wildlife research area shall be open from September 1 to September 15 to the carrying and discharge of firearms by persons lawfully taking Canada geese.

History: Eff. Mar. 31, 1989; Am. 16, 1989, Eff. Aug. 1, 1989; Am. 11, 1990, Eff. Aug. 1, 1990; Am. 12, 1991, Eff. Aug. 31, 1991; Am. 9, 1992, Eff. Aug. 31, 1992; Am. 9, 1994, Eff. Sept. 1, 1994; Am. 7, 1995, Eff. Sept. 1, 1995; Am. 13, 1996, Eff. Aug. 1, 1996; Am. 5, 1997, Eff. Aug. 1, 1997; Am. 13, 2000, Eff. Aug. 1, 2000; Am. 19, 2004, Eff. Dec. 10, 2004.

3.413 Early September Canada goose season, daily limit, possession limit.

Sec. 3.413. During the early September Canada goose season, the daily limit shall be 3 Canada geese and the possession limit shall be 6 Canada geese.

History: Eff. Mar. 31, 1989; Am. 9, 1992, Eff. Aug. 31, 1992; Am. 13, 1996, Eff. Aug. 1, 1996; Am. 13, 2000, Eff. Aug. 1, 2000; Am. 13, 2004, Eff. Aug. 14, 2004; Am. 16, 2005, Eff. Aug. 12, 2005.

3.414 Managed waterfowl areas, shot size limitation; unlawful acts.

Sec. 3.414. Except as otherwise restricted in Chapter XIII, a person shall not possess or use shotshells, or loose shot with a shot size greater than BBB for the hunting and taking of waterfowl in those areas posted "State Game Area - Hunting By Permit Only" on the Nayanquing point, St. Clair flats, and Fish point wildlife areas; on all of the Pointe Mouillee and Shiawassee river state game areas; and on all of the Allegan state game area.

History: Eff. Mar. 31, 1989; Am. 17, 1993, Eff. Sept. 1, 1993; Am. 14, 1996, Eff. Sept. 1, 1996; Am. 13, 1999, Eff. Sept. 1, 1999; Am. 15, 2000, Eff. Sept. 1, 2000; Am. 11, 2002, Eff. Sept. 1, 2002.

3.415 Migratory birds; possession limit defined; open seasons.

Sec. 3.415. The migratory bird possession limit shall be twice the daily limit except that the possession limit for blue, snow, and Ross' geese shall be three times the daily limit. The migratory bird hunting open seasons shall be as follows:

Season and Species	Zone or Management Unit	Open Season
Ducks	North Zone	October 1 to November 29
	Middle Zone	October 1 to October 9 and October 22 to December 11
	South Zone	October 15 to December 11 and December 31 and January 1, 2006
Canvasbacks	North Zone	October 1 to October 30
	Middle Zone	November 12 to December 11, 2005

	South Zone	November 14 to December 11 and December 31, 2005 to January 1, 2006
Merganser		Same dates as ducks in the respective zones.
Coots and Moorhens		Same dates as ducks in the respective zones.
Canada Goose (regular season)	North Zone	September 24 to October 21
	Middle Zone	October 1 to October 16 and November 24 to December 5
	South Zone – Southern James Bay Population Unit	October 1 to October 16 and November 24 to December 5
	South Zone – Mississippi Valley Population Unit	October 1 to October 16 and November 24 to December 5
	Tuscola/Huron GMU	October 15 to December 3 (or quota)
	Saginaw County GMU	October 15 to December 3 (or quota)
	Allegan County GMU	November 24 to November 27 and December 24 to January 13, 2006 (or quota)
	Muskegon W.W. GMU	October 25 to November 14 and December 1 to December 4 (or quota)
Canada Goose (special late season)	Southern Michigan Goose Management Unit as defined in section 12.700 of this order.	December 31 to January 29, 2006
Brant, Snow, White-fronted, and Ross' Geese	Statewide	September 24 to December 5

History: Eff. Mar. 31, 1989; Am. 16, 1990, Eff. Sept. 1, 1990; Am. 14, 1991, Eff. Sept. 1, 1991; Am. 10, 1992, Eff. Sept. 1, 1992; Am. 17, 1993, Eff. Sept. 1, 1993; Am. 11, 1994, Eff. Sept. 1, 1994; Am. 8, 1995, Eff. Sept. 1, 1995; Am. 14, 1996, Eff. Sept. 1, 1996; Am. 6, 1997, Eff. Sept. 1, 1997; Am. 13, 1998, Eff. Sept. 1, 1998; Am. 13, 1999, Eff. Sept. 1, 1999; Am. 15, 2000, Eff. Sept. 1, 2000; Am. 13, 2001, Eff. Sept. 1, 2001; Am. 11, 2002, Eff. Sept. 1, 2002; Am. 13, 2003, Eff. Sept. 1, 2003; Am. 13, 2004, Eff. Aug. 14, 2004; Am. 16, 2005, Eff. Aug. 12, 2005.

3.415a Youth waterfowl hunting weekend, season established, limits defined, adult requirements, hunting hours; exceptions.

Sec. 3.415a. The youth waterfowl hunting weekend shall be 2 consecutive days starting the third Saturday in September and within the guidelines approved by the United States fish and wildlife service. Except for persons taking Canada geese during a concurrent open early September season for Canada geese, the following rules shall apply to a person taking ducks, mergansers, Canada geese, coots, or moorhens (gallinules) on the youth waterfowl hunting weekend:

(1) Youths 12 through 15 years of age may take ducks, mergansers, Canada geese, coots, or moorhens provided the youth is licensed to take waterfowl as required by part 435, hunting and fishing licensing, of the natural

resources and environmental protection act, Act No. 451 of the Public Acts of 1994. The daily and possession limit for each species shall be as provided in section 3.416, except the daily and possession limit for persons taking Canada geese in any area concurrently open under the early September Canada geese season shall be as specified in section 3.413.

(2) A parent or legal guardian shall not allow a youth hunter to go afield to hunt ducks, mergansers, Canada geese, coots, or moorhens unless the youth hunter is accompanied by an adult at least 18 years of age or older, regardless of property ownership. An adult accompanying a youth waterfowl hunter may take other game for which the season is open while the youth is exercising the privileges of the youth waterfowl hunting weekend.

(3) The hunting hours shall be one-half hour before sunrise to sunset, local time.

(4) Except as otherwise specifically provided in this section, all regulations of state law and this order regarding the taking, possession, transportation, and storage of waterfowl, including the taking of Canada geese as established by regulations for the early September Canada geese season, shall apply on youth waterfowl hunting weekend.

History: Am. 6, 1997, Eff. Sept. 1, 1997; Am. 13, 1998, Eff. Sept. 1, 1998; Am. 13, 1999, Eff. Sept. 1, 1999; Am. 13, 2001, Eff. Sept. 1, 2001.

3.416 Migratory game birds; daily limit.

Sec. 3.416. The daily limit of migratory game birds for the seasons specified in section 3.415 shall be as follows:

Ducks, daily limit.

(1) The daily limit shall be 6 ducks of which no more than 4 may be mallards, no more than 1 may be a female mallard, no more than 1 may be a black duck, no more than 2 may be wood ducks, no more than 2 may be scaup, no more than 1 may be a pintail, no more than 1 may be a canvasback, and no more than 2 may be redheads.

Merganser, daily limit.

(2) The daily limit shall be 5 mergansers of which no more than 1 may be a hooded merganser.

Canada geese, north, middle, and south zones, daily limit.

(3) In the north, middle, and south zones as described in sections 1.7, 1.8, and 1.9, the daily limit shall be 2 Canada geese.

Canada geese, daily limit, exceptions.

(4) The Canada goose daily limit shall be 2 except:

(a) In the Saginaw County, and Tuscola/Huron goose management units, the daily limit shall be 1 Canada goose.

(b) During the Canada goose special late season, the daily limit shall be 3 Canada geese.

(c) The daily limit shall be 1 Canada goose on the Allegan Goose Management Unit November 24 to November 27 and December 24 to December 31. The daily limit shall be 2 Canada geese on Allegan Goose Management Unit January 1 to January 13, 2006.

History: Eff. Mar. 31, 1989; Am. 16, 1990, Eff. Sept. 1, 1990; Am. 14, 1991, Eff. Sept. 1, 1991; Am. 10, 1992, Eff. Sept. 1, 1992; Am. 17, 1993, Eff. Sept. 1, 1993; Am. 11, 1994, Eff. Sept. 1, 1994; Am. 8, 1995, Eff. Sept. 1, 1995; Am. 14, 1996, Eff. Sept. 1, 1996; Am. 6, 1997, Eff. Sept. 1, 1997; Am. 13, 1998, Eff. Sept. 1, 1998; Am. 13, 1999, Eff. Sept. 1, 1999; Am. 13, 2001, Eff. Sept. 1, 2001; Am. 16, 2005, Eff. Aug. 12, 2005.

3.417 Repealed Am. 13, 2000, Eff. Aug. 1, 2000.

Publisher's note: The former section 3.417 repealed by Am. 1, 2000, Eff. Aug. 1, 2000, referred to closed units for goose hunting.

THIS AMENDED SECTION IS EFFECTIVE NOVEMBER 8, 2005 & REMAINS IN EFFECT UNTIL JANUARY 1, 2006.

3.418 Goose management units, harvest quotas; department's wildlife chief to close season.

Sec. 3.418. (1) The following goose management units, described in sections 12.701 to 12.705 of this order, shall be open to goose hunting until the open seasons stipulated in section 3.415 of this order expire, or until the wildlife division chief determines that the following listed quota of Canada geese has been harvested:

- (a) Saginaw county goose management unit - quota of 2,000 Canada geese.
 - (b) Allegan county goose management unit - quota of 1,500 Canada geese.
 - (c) Muskegon wastewater goose management unit – the quota of 500 Canada geese has been reached and the Canada goose hunting season is closed, effective November 9, 2005.
 - (d) Tuscola/Huron goose management unit - quota of 750 Canada geese.
- (2) When the wildlife division chief determines that the quota of Canada geese for a management unit listed in this section has been harvested, the chief shall issue an interim order to close the goose hunting season in that unit.
- History Note: Interim Order 3, 2005, Eff. Nov. 8, 2005.

THIS SECTION IS AMENDED EFFECTIVE NOVEMBER 8, 2005 THROUGH JANUARY 1, 2006.

3.418 Goose management units, harvest quotas; department's wildlife chief to close season.

Sec. 3.418. (1) The following goose management units, described in sections 12.701 to 12.705 of this order, shall be open to goose hunting until the open seasons stipulated in section 3.415 of this order expire, or until the wildlife division chief determines that the following listed quota of Canada geese has been harvested:

- (a) Saginaw county goose management unit - quota of 2,000 Canada geese.
 - (b) Allegan county goose management unit - quota of 1,500 Canada geese.
 - (c) Muskegon wastewater goose management unit – the quota of 500 Canada geese.
 - (d) Tuscola/Huron goose management unit - quota of 750 Canada geese.
- (2) When the wildlife division chief determines that the quota of Canada geese for a management unit listed in this section has been harvested, the chief shall issue an interim order to close the goose hunting season in that unit.
- History: Eff. Mar. 31, 1989; Am. 16, 1990, Eff. Sept. 1, 1990; Am. 14, 1991, Eff. Sept. 1, 1991; Am. 10, 1992, Eff. Sept. 1, 1992; Am. 14, 1996, Eff. Sept. 1, 1996; Am. 6, 1997, Eff. Sept. 1, 1997; Am. 13, 1998, Eff. Sept. 1, 1998; Am. 13, 1999, Eff. Sept. 1, 1999; Am. 15, 2000, Eff. Sept. 1, 2000; Am. 11, 2002, Eff. Sept. 1, 2002; Am. 13, 2003, Eff. Sept. 1, 2003; Am. 13, 2004, Eff. Aug. 14, 2004; Am. 16, 2005, Eff. Aug. 12, 2005.

3.419 Managed waterfowl areas, unlawful acts; fees authorized by state law; designation of areas.

Sec. 3.419. As provided by section 43525 of part 435, hunting and fishing licensing, Act No. 451 of the Public Acts of 1994, as amended, being section 324.43525 of the Michigan Compiled Laws, a person shall not hunt waterfowl in an area designated by the commission as a managed waterfowl area without an annual or daily managed waterfowl area permit. The following state game and wildlife areas, within the boundaries posted "State Game Area - Hunting by Permit Only" are designated as managed waterfowl areas:

- (1) Allegan state game area (Highbanks and Fennville farm units) - Allegan county.
 - (2) Fish Point wildlife area - Tuscola county.
 - (3) Nayanquing Point wildlife area - Bay county.
 - (4) Pointe Mouillee state game area (Long pond and Nelson units) - Monroe county.
 - (5) Shiawassee river state game area - Saginaw county.
 - (6) St. Clair flats wildlife area (Harsens Island unit) - St. Clair county.
- History: Eff. Mar. 31, 1989; Am. 16, 1990, Eff. Sept. 1, 1990; Am. 6, 1997, Eff. Sept. 1, 1997.

3.419a Waterfowl hunting reservations, age qualifications.

Sec. 3.419a. Only a person who will be 12 years of age or older on the opening day of the waterfowl hunt applied for may apply for a reserved waterfowl hunt.

History: Eff. Sept. 1, 1993, Am. 2, 1993.

3.420 Jacksnipe, rails, and woodcock hunting; open seasons, exceptions; king rails.

Sec. 3.420. (1) The statewide open season for woodcock shall be a total of 45 days beginning on the Saturday closest to September 22.

(2) The open seasons for common snipe (jacksnipe), Virginia and sora rails shall be September 15 to November 14 statewide.

(3) There is no open season for king rails.

History: Eff. Mar. 31, 1989; Am. 6, 1997, Eff. Sept. 1, 1997; Am. 13, 2000, Eff. Aug. 1, 2000; Am. 5, 2002, Eff. June 1, 2002; Am. 7, 2005, Eff. May 6, 2005.

3.421 Jacksnipe, rails, and woodcock, daily and possession limits.

Sec. 3.421. The daily limit and possession limit for common snipe (jacksnipe), rails, and woodcock shall be as follows:

Species	Daily Limit	Possession Limit
Common snipe (jacksnipe)	8	16
Virginia and sora rails(singly or in the aggregate)	8	16
Woodcock	3	6

History: Eff. Mar. 31, 1989; Am. 6, 1997, Eff. Sept. 1, 1997; Am. 13, 2000, Eff. Aug. 1, 2000; Interim Order 1, 2000, Eff. Sept. 15, 2000.

3.422 Migratory birds, falconry, seasons; daily limit, possession limit.

Sec. 3.422. (1) The open season for taking migratory game birds by falconry shall be as follows:

Species	Open Seasons
Common snipe; Woodcock; Virginia and sora rails	The open season for these species shall be the same dates as the firearm seasons in the respective zones for these species
Geese	The open season for taking these species shall be the same dates as the firearm seasons in the respective zones and goose management units, except that the Huron/Tuscola and Saginaw goose management units shall not be open to taking geese by falconry from November 30 through December 3.
Ducks; mergansers; coots and moorhens	The open season for these species shall be the same dates as the firearm seasons in the respective zones for these species, plus the season shall also be open statewide from January 25 to March 10

(2) The daily limit for migratory game birds taken by falconry shall be 3 birds combined, and the possession limit shall be 6 birds combined.

History: Eff. Mar. 31, 1989; Am. 16, 1990, Eff. Sept. 1, 1990; Am. 14, 1996, Eff. Sept. 1, 1996; Am. 6, 1997, Eff. Sept. 1, 1997; Interim Order 2, 2001 Eff. Sept. 10, 2001; Am. 5, 2002, Eff. June 1, 2002; Am. 11, 2002, Eff. Sept. 1, 2002; Am. 13, 2003, Eff. Sept. 1, 2003; Am. 13, 2004, Eff. Aug. 14, 2004; Am. 16, 2005, Eff. Aug. 12, 2005.

3.423 Taking crows, open seasons; exceptions.

Sec. 3.423. (1) The open season for taking crows shall be August 1 to September 30 in zone 1.

(2) The open season for taking crows shall be August 1 to September 30 and February 1 to March 31 in zones 2 and 3.

(3) Crows may be taken outside the open season without a permit when committing or about to commit depredations or when concentrated as to constitute a health hazard or other nuisance.

(4) Crows shall not be taken in state parks and recreation areas from April 1 to September 14.

History: Eff. Mar. 31, 1989; Am. 8, 1991, Eff. July 1, 1991; Am. 9, 1996, Eff. July 1, 1996.

3.424 September teal hunt; open season; areas defined.

History: Am. 16, 1993, Eff. Sept. 1, 1993.

Publisher's note: September teal hunt not approved by US 'Fish and Wildlife Service. No permits to be issued by the director to hunt teal during the September season.

3.425 September teal hunt; daily limit; possession limit.

History: Am. 16, 1993, Eff. Sept. 1, 1993.

Publisher's note: September teal hunt not approved by US 'Fish and Wildlife Service. No permits to be issued by the director to hunt teal during the September season.

3.426 Repealed. Am. 11, 1998, Eff. Aug. 1, 1998.

Publisher's note: The repealed section pertained to Teal hunting permit requirements and use.

3.427 Mourning doves, open season, open counties, daily and possession limits; report of hunting impact on populations.

Sec. 3.427. (1) The open season for taking mourning doves shall be September 10 to October 30, 2004 and September 1 to October 30 for the subsequent two calendar years.

(2) A person shall take mourning doves only in Berrien, Branch, Cass, Hillsdale, Lenawee, and St. Joseph counties.

(3) The daily limit shall be 15 mourning doves and the possession limit shall be 30 mourning doves.

(4) Following conclusion of the third hunting season, the department shall report the impact of hunting on mourning dove populations in Michigan.

History Note: Am. 15, 2004, Eff. Sept. 10, 2004.

3.500 Repealed. Am. 19, 1990, Eff. Oct. 15, 1990.

Publisher's note: The repealed section pertained to Hungarian partridge, open season.

3.501 Pheasant hunting, open seasons; daily and possession limits.

Sec. 3.501. (1) The open season for taking male pheasants in the zone 1 pheasant management unit, as described in section 12.750 of this order, shall be October 10 to October 31. The remaining portion of zone 1 shall be closed to the taking of pheasants.

(2) The open season for taking male pheasants in zones 2 and 3 shall be October 20 to November 14.

(3) The daily limit shall be 2 male pheasants and the possession limit shall be 4 male pheasants.

(4) The open season for taking pheasants of either sex by falconry shall be October 10 to October 31 in those portions of zone 1 open to pheasant hunting and shall be October 20 to February 28 in those portions of zones 2 and 3 open to pheasant hunting. The daily limit for pheasants of either sex taken by falconry shall be 2 pheasants, and the possession limit shall be 4.

(5) The open season for taking male pheasants in the December pheasant management unit, as described in section 12.750a of this order, shall be December 1 to January 1.

History: Am. 21, 1993, Eff. Oct. 14, 1993; Am. 6, 1994, Eff. Sept. 1, 1994; Am. 3, 1995, Sept. 1, 1995; Am. 11, 2001, Eff. Sept. 1, 2001; Am. 10, 2004, Eff. May 8, 2004.

3.501a Repealed. Am. 3, 1995, Eff. Sept. 1, 1995.

Publisher's Note: The repealed section pertained to the experimental December pheasant hunting season; dates and limits.

3.502 Ruffed grouse hunting, open seasons; daily and possession limits.

Sec. 3.502. (1) The open season for taking ruffed grouse shall be September 15 to November 14 and December 1 to January 1.

(2) The daily limit shall be 5 ruffed grouse and the possession limit shall be 10 ruffed grouse in zones 1 and 2.

(3) The daily limit shall be 3 ruffed grouse and the possession limit shall be 6 ruffed grouse in zone 3.

History: Eff. Mar. 31, 1989; Am. 8, 1994, Eff. Sept. 1, 1994; Am. 7, 2003, Eff. May 10, 2003.

3.503 Sharp-tailed grouse, no open season.

Sec. 3.503. There shall be no open season for the taking of sharp-tailed grouse.

History: Eff. Mar. 31, 1989; Am. 7, 1994, Eff. Sept. 1, 1994; Am. 2, 1997, Eff. Sept. 1, 1997.

3.504 Quail, open season, open counties; director may issue interim order; daily and possession limits.

Sec. 3.504. (1) The open season for taking quail shall be October 20 to November 14.

(2) A person shall only take quail in Branch, Calhoun, Clinton, Eaton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Ionia, Jackson, Kent, Lapeer, Lenawee, Livingston, Macomb, Monroe, Montcalm, Oakland, Saginaw, St. Clair, St. Joseph, Sanilac, Shiawassee, Tuscola, Washtenaw, and Wayne counties.

(3) The director of the Department of Natural Resources may issue an interim order to close any or all of the above-mentioned counties based upon the June breeding quail survey.

(4) The daily limit shall be 5 quail and the possession limit shall be 10 quail.

History: Eff. Mar. 31, 1989; Am. 11, 1989, Eff. Sept. 1, 1989; Am. 9, 1990, Eff. Sept. 1, 1990; Am. 7, 1997, Eff. Sept. 1, 1997; Am. 10, 2000, Eff. Sept. 1, 2000; Am. 9, 2004, Eff. May 8, 2004.

3.505 Rabbits and hares, open season, daily limit and possession limit.

Sec. 3.505. (1) The open season for taking cottontail rabbits and varying hares, also commonly known as the snowshoe hare, shall be September 15 to March 31, statewide.

(2) The daily limit shall be 5 rabbits and hares combined, and the possession limit shall be 10 rabbits and hares combined.

History: Eff. Mar. 31, 1989.

3.506 Woodchucks, open season, exception.

Sec. 3.506. The open season for woodchucks shall be statewide all year except for state park and recreation areas which shall be closed April 1 to September 14.

History: Eff. Mar. 31, 1989; Am. 20, 1989, Eff. Sept. 1, 1989.

3.507 Squirrels, open season; exception; daily and possession limits.

Sec. 3.507. (1) The open season for taking fox, black and grey squirrels shall be September 15 to March 1.

(2) The daily limit shall be 5 fox, black and grey squirrels combined and the possession limit shall be 10 fox, black and grey squirrels combined.

History: Eff. Mar. 31, 1989; Am. 4, 2003, Eff. May 10, 2003.

3.600 Fur-bearing animals; use of firearms; traps and catching devices; use of bait; unlawful acts.

Sec. 3.600. It shall be unlawful for any person:

(1) To use a firearm to take marten, muskrat, beaver, otter, mink, fisher, or badger, except as permitted by authority of a nuisance control permit issued by the department. Rimfire firearms .22 caliber or smaller may be used to kill coyote, fox, raccoon, bobcat, and badger in traps, except for youths trapping with a junior fur harvester-trap only license.

(2) Except as provided by subsection (3), to use or have in possession in areas frequented by animals, a catching device of any kind for the taking of animals unless the name and address in legible English or the complete Michigan driver license number of the user or person possessing the device is permanently etched in the catching device, or there shall be securely fastened to each catching device a metallic plate or tag bearing the name and address in legible English or the complete Michigan driver license number of the user or person possessing the catching device.

(3) To use, carry afield, or have in possession 1 or more snares unless they have attached a metallic tag or plate securely fastened which bears the name and address in legible English or the complete Michigan driver's license number of the user or person possessing the catching device.

(4) To use or have in possession 1 or more snares securely attached to a pole unless the uppermost end of the pole has a metallic plate or tag securely fastened which bears the name and address in legible English or the complete Michigan driver license number of the user or person possessing the catching device.

(5) To use a multiple catch or colony trap except for the taking of muskrat and provided that the trap is completely submerged below the water. Colony traps must be constructed of steel and shall be no larger than 6 inches in height, 6 inches in width, and 24 inches in depth. This order shall not be construed to prohibit use of colony or multiple catch traps used by nuisance control operators for species other than muskrat.

(6) To stake, put out, or set a catching device of any kind for the taking of a fur-bearing animal at any time preceding the day on which the open season for the taking of such fur-bearing animal begins.

(7) To use a foothold trap with a jaw spread exceeding a number 2 foothold trap for the taking of mink or muskrat except as may be provided by this order for the incidental take of muskrat during the beaver and otter season. It shall also be unlawful to use any kind of a trap other than a foothold or body gripping or conibear type trap to take fur-bearing animals except as permitted under the provisions of subsection (4).

(8) To use any portion of any animal or bird protected by the laws of this state as bait for the purpose of trapping any animal in this state. This subsection shall not be construed to prohibit a person from using the carcasses of fur-bearing animals, woodchuck, or red squirrel, lawfully taken, as bait.

(9) A trap shall not be set on a beaver dam or lodge unless the trap is totally submerged below the water.

(10) To set a body gripping or conibear type trap larger than 6 inches in diameter on dry land or over frozen submerged bottomlands on publicly owned lands or commercial forest lands as defined by section 51101, Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act No. 451 of the Public Acts of 1994, being section 324.51101 of the Michigan Compiled Laws, unless the trap is 4 feet or more above dry ground or the frozen surface of the ice, as applicable, or the trap is placed in a box or similar container in such a manner that the trap is not accessible to dogs.

(11) To set a trap within 50 feet of any water in zone 1 before October 25, or within 50 feet of any water in zone 2 before November 1, or within 50 feet of any water in zone 3 before November 10, except for the following catching devices:

(a) A duffer-type, egg-type, or similarly designed leghold trap which by construction will selectively capture raccoon.

(b) A body gripping or conibear trap placed 4 feet or more above the ground.

(12) To set a catching device designed to hold an animal alive unless any catch is released or removed upon checking the catching device. Restraining type traps and snares designed to hold an animal alive shall be checked at least once daily in Zones 2 and 3 and within a 48 hour period in Zone 1, except as noted in Section 5.52 (8).

History: Eff. Mar. 31, 1989; Am. 9, 1989, Eff. Sept. 1, 1989; Am. 10, 1990, Eff. Sept. 1, 1990; Am. 4, 1992, Eff. Sept. 1, 1992; Am. 9, 1993, Eff. Sept. 1, 1993; Am. 5, 1994, Eff. Sept. 1, 1994; Am. 7, 1998, Eff. Sept. 1, 1998; Am. 16, 2000, Eff. Oct. 13, 2000; Am. 3, 2001, Eff. Mar. 1, 2001; Am. 9, 2002, Eff. June 7, 2002; Am. 9, 2003, Eff. June 7, 2003; Am. 11, 2004, Eff. June 5, 2004; Am. 9, 2004, Eff. July 8, 2005.

3.601 Special management areas, trapping regulations.

Sec. 3.601. The following trapping regulations shall be in effect for the management areas listed:

(1) Shiawassee river state game area - Trapping only by permit obtained at the department St. Charles field office.

(2) Shiawassee national wildlife refuge - Trapping only by permit obtained from the refuge manager.

(3) Muskegon state game area - Trapping only by permit obtained at the department Muskegon state game area headquarters.

(4) Poel Island waterfowl refuge within the Grand Haven state game area - Trapping only by permit obtained at the department Muskegon state game area headquarters.

History: Eff. Mar. 31, 1989; Am. 9, 1989, Eff. Sept. 1, 1989; Am. 15, 1993, Eff. Sept. 1, 1993.

3.602 Repealed Am. 5, 1994, Eff. Sept. 1, 1996.

Publisher's note: The repealed section pertained to permit to hold furs after close of season..

3.603 Transporting legally secured hides or pelts.

Sec. 3.603. Nothing in this order shall be construed as prohibiting the shipping or transporting in any manner or at any time of hides or pelts of fur-bearing animals which have been legally taken and reported as herein provided.

History: Eff. Mar. 31, 1989.

3.604 Skunks, hunting and trapping, open season, exception; unlawful act.

Sec. 3.604. The open season for taking skunk by hunting or trapping shall be statewide all year except for state park and recreation areas which shall be closed April 1 to September 14. A person shall not possess a live skunk taken in Michigan.

History: Eff. Mar. 31, 1989; Am. 20, 1989, Eff. Sept. 1, 1989.

3.605 Raccoon hunting, seasons; taking raccoons doing or about to do damage, person taking considered permittee.

Sec. 3.605. (1) The open season for taking raccoon by hunting shall be October 1 to January 31, except that the open season for nonresidents taking raccoon by hunting shall be November 15 to January 31.

(2) A property owner or their designee may take raccoon all year on property owned by the person when raccoons are doing or are about to do damage to the person's property. A person taking a raccoon under the authority of this subsection shall be considered a permittee as defined by section 5.50 of this order. A written permit is not required, and the person shall be authorized to take raccoon all year by otherwise lawful hunting and trapping methods. Notwithstanding the other provisions of this order, a person taking raccoon under the authority of this subsection may take raccoon at night from July 15 to September 14 using artificial lights, similar to the type ordinarily held in the hand or on the person, in possession of an unloaded firearm while following dogs and at the point of kill for the purpose of taking raccoons if using a rimfire firearm .22 caliber or smaller.

History: Eff. Mar. 31, 1989; Am. 9, 1989, Eff. Sept. 1, 1989; Am. 10, 1993, Eff. Sept. 1, 1993; Am. 7, 1998, Eff. Sept. 1, 1998; Am. 2, 2003, Eff. Apr. 12, 2003; Am. 2, 2005, Eff. Mar. 11, 2005; Am. 9, 2005, Eff. July 8, 2005.

3.606 Muskrat, mink, and raccoon trapping, open seasons; closed areas.

Sec. 3.606. (1) Except as otherwise provided in this section, the open season for taking muskrat and mink by trapping shall be October 25 to January 31 in zone 1, November 1 to January 31 in zone 2, and November 10 to January 31 in zone 3. The trapping season for raccoon shall be October 15 to January 31 in zones 1 and 2, and November 1 to January 31 in zone 3.

(2) Except as provided in subsection (3), the open seasons for taking muskrat, mink and raccoon by trapping on managed wetlands shall be as follows:

Area	Season
Nayanquing point wildlife area	Day after waterfowl season closes to January 31
Crow Island state game area	Day after waterfowl season closes to January 31
Shiawassee river state game area	Day after waterfowl season closes to March 31 except A units shall have the same season dates as provided in subsection (1) for zone 3
Fish point wildlife area	Day after waterfowl season closes to January 31
Grand Haven state game area	November 10 to January 31
Rose lake wildlife research area	November 10 to January 31
Allegan state game area	Day after Allegan goose management area goose season closes to January 31
St. John's marsh wildlife area	Day after waterfowl season closes to January 31
Pte. Mouillee state game area	Day after waterfowl season closes to January 31
St. Clair flats wildlife area	Day after waterfowl season closes to January 31 and March 15 to April 15
Maple river state game area	November 10 to January 31

(3) Managed wetlands or portions of managed wetlands shall be closed, as posted.

History: Eff. Mar. 31, 1989; Am. 9, 1989, Eff. Sept. 1, 1989; Am. 10, 1990, Eff. Sept. 1, 1990; Am. 4, 1992, Eff. Sept. 1, 1992; Am. 9, 1993, Eff. Sept. 1, 1993; Am. 14, 1996, Eff. Sept. 1, 1996; Am. 7, 1997, Eff. Sept. 1, 1997; Am. 11, 2004, Eff. June 5, 2004.

3.607 Beaver and otter trapping, resident and nonresident open seasons; season limits; requirements.

Sec. 3.607. (1) The open seasons and season limits for taking beaver and otter by trap for each of the respective zones shall be as follows:

Resident Seasons	Season Limits
Zone 1--October 25 to the first Sunday following April 11, except the ending season date for all designated trout streams, as described in FO 210.03, shall be April 30	No limit on beaver; 3 otter per person of which no more than 1 shall be taken in zone 2 and no more than 1 shall be taken in zone 3
Zone 2--November 1 to the first Sunday following April 11	

Zone 3--November 10 to March 31

Nonresident Seasons	Season Limits
Zone 1--November 15 to the first Sunday following April 11	No limit on beaver; 3 otter per person of which no more than 1 shall be taken in zone 2 and no more than 1 shall be taken in zone 3
Zone 2--November 24 to the first Sunday following April 11	
Zone 3--December 15 to March 31	

(2) In addition to the requirements of section 3.600, a person taking beaver and otter shall meet all of the following requirements:

(a) A person that kills an otter shall present the pelt of the otter to a designated department employee to be registered and sealed no later than 3 business days following April 30. The pelt shall be presented for sealing in person by the fur harvester that killed the animal and shall not be presented for sealing or registration by another person. The person presenting the otter pelt shall display their fur harvester license, including identification used to acquire the license, and shall provide harvest information as requested by the department employee. The department employee shall attach an official seal to the pelt of each otter presented for examination and shall lock the seal upon the hide in such a manner that it cannot be removed without cutting or ripping the otter pelt or damaging the seal. Once an official seal is attached by the department, it shall not be removed from the otter pelt until the otter pelt is processed or tanned. Subsequent to 3 business days following April 30, it shall be unlawful to possess an otter pelt without an official department seal attached unless the pelt has been processed or tanned or the otter season is open.

(b) Notwithstanding the other provisions of this order, up to 10 muskrat, taken in beaver or otter sets, may be considered part of the season limit.

(c) Notwithstanding the other provisions of this order, a snare may be used from December 1 to March 31 for taking beaver provided the location at which the snare is placed is ice-covered. Snares shall be made of 1/16 inch or larger cable. Snares shall be removed from the water and made inoperative within 24 hours after the close of the period in which snares may be used to take beaver.

History: Eff. Mar. 31, 1989; Am. 7, 1989, Eff. Sept. 1, 1989; Am. 15, 1990, Eff. Sept. 1, 1990; Am. 13, 1991, Eff. Sept. 1, 1991; Am. 4, 1992, Eff. Sept. 1, 1992; Am. 15, 1993, Eff. Sept. 1, 1993; Am. 10, 1994, Eff. Sept. 1, 1994; Am. 5, 1995, Eff. Sept. 1, 1995; Am. 10, 1996, Eff. Sept. 1, 1996; Am. 7, 1998, Eff. Sept. 1, 1998; Am. 3, 2001, Eff. Mar. 1, 2001; Am. 7, 2002, Eff. June 1, 2002; Am. 9, 2003, Eff. June 7, 2003.

3.608 Bobcat open seasons, season limit, closed areas, restrictions; kill tags and tagging requirements; registration requirements; unlawful acts.

Sec. 3.608. (1) The open season for taking bobcat by trapping shall be October 25 to March 1 in bobcat management units A and B. The open season for taking bobcat by hunting in bobcat management units A and B shall be from December 1 to March 1.

(2) A person shall not take a bobcat by means of hunting or trapping in that area of zone 2 not included in bobcat management units C and D. The hunting season in bobcat management unit C shall be from January 1 to March 1. The hunting season in bobcat management unit D shall be from January 1 to February 1. The trapping season in bobcat management units C and D shall be from December 10 to December 20, on private lands only, using foothold traps only.

(3) A person shall not take a bobcat in zone 3.

(4) The season limit shall be 2 bobcat per person except no person shall take more than 1 bobcat from bobcat management unit B, and no more than 1 bobcat in bobcat management units C and D combined.

(5) Through the last day of the open bobcat season, a person issued a fur harvester's license may obtain a free bobcat kill tag. A person who intends to hunt or trap bobcat shall request and be issued up to 2 free bobcat kill tags. A person shall not sell, loan, or permit in any manner another person to use the person's bobcat kill tag or use or attempt to use another person's bobcat kill tag. A person who kills a bobcat shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the hide of the bobcat from the upper jaw to the eye socket or through the lower jaw of the bobcat in a secure and permanent manner. A person shall not tag a bobcat with a kill tag that is not valid for the unit in which the bobcat is taken. This kill tag shall remain attached to the bobcat until the animal is registered and sealed by the department. A person shall not possess a bobcat or bobcat hide that is not tagged with a validated kill tag unless a department seal is attached as provided by subsection (6).

(6) A person that kills a bobcat shall present the pelt and skull or pelt and an undamaged canine tooth of the bobcat to a designated department employee to be registered and sealed no later than 10 days following the close of the season in which it was taken. The pelt shall be presented for sealing in person by the fur harvester that killed the animal and shall not be presented for sealing or registration by another person. The person presenting the bobcat pelt shall display their fur harvester license, including identification used to acquire the license, and shall provide harvest information as requested by the department employee. The department employee shall retain the skull or undamaged canine tooth and attach an official seal to the pelt of each bobcat presented for examination and shall lock the seal upon the hide in such a manner that it cannot be removed without cutting or ripping the bobcat pelt or damaging the seal. Once an official seal is attached by the department, it shall not be removed from the bobcat pelt until the bobcat pelt is processed or tanned. Subsequent to ten days following March 1, it shall be unlawful to possess a bobcat pelt without an official department seal attached unless the pelt has been processed or tanned or the bobcat season is open..

History: Eff. Mar. 31, 1989; Am. 8, 1989, Eff. Sept. 1, 1989; Am. 10, 1990, Eff. Sept. 1, 1990; Am. 9, 1991, Eff. Sept. 1, 1991; Am. 5, 1994, Eff. Sept. 1, 1994; Am. 5, 1995, Eff. Sept. 1, 1995; Am. 10, 1996, Eff. Sept. 1, 1996; Am. 7, 1998, Eff. Sept. 1, 1998; Am. 9, 2003, Eff. June 7, 2003; Am. 11, 2004, Eff. June 5, 2004; Am. 16, 2004, Eff. Sept. 9, 2004; Am. 9, 2005, Eff. July 8, 2005; Am. 22, 2005, Eff. Nov. 4, 2005.

3.609 Fox hunting and trapping and coyote trapping, seasons; use of snares, conditions; prohibited acts.

Sec. 3.609. (1) The open seasons for taking fox by trapping or hunting and coyote by trapping shall be October 15 to March 1.

(2) Notwithstanding other provisions of this order, a person may use a snare from January 1 to March 1 to take fox and coyote if, in addition to the other requirements of section 3.600, all of the following conditions are met:

(a) Snares shall not be placed on publicly owned land or commercial forest lands as defined by section 51101, Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act No. 451 of the Public Acts of 1994, being Section 324.51101 of the Michigan Compiled Laws.

(b) Snares shall be made of 1/16 inch or larger cable, with a maximum length of 60 inches, not including a cable anchor extension. Up to a 36 inch cable anchor extension may be used.

(c) The snare loop shall not exceed 15 inches in diameter.

(d) The top of the snare loop shall not be set more than 24 inches above the ground, or when the ground is snow covered, shall not be set more than 24 inches above the compacted snow in the person's footprint which has been placed beneath the snare with the full body weight of the person.

(e) All snares shall have a relaxing lock, defined as a snare lock that will allow the snare loop to loosen slightly to reduce the possibility of strangulation.

(f) All snares shall have a stop to prevent the loop of a snare from closing to a diameter less than 4 1/4 inches.

(g) All snares shall be equipped with a break-away lock system with a breaking point not greater than 285 pounds. Breakaway devices must be attached to the relaxing lock.

(h) Snares shall not have any type of drag attached and shall be affixed to a stake or other object of sufficient strength to hold a fox or coyote at the point of capture. A snare shall not be attached to a fence or set in a manner that would allow an animal captured in the snare to become entangled with a fence. Snares may be anchored to woody vegetation provided that it is clear of branches or stubs up to a height of 5 feet above the ground or compacted snow. Stubs and branches must be cut flush with the outer bark of the main stem. Snares may not be set in a manner that would allow a snared animal to be suspended with two or more feet off the ground.

(i) Snares shall be equipped with two swivels, one of which will be at the anchor point.

(j) Snares shall not utilize any type of spring pole, counterbalanced weight, spring, or other device to assist in closing the snare.

(k) Except as provided in section 3.607 for the taking of beaver, section 3.610 for the taking of nuisance coyote and sections 5.51 and 5.52 for the taking of other nuisance animals, snares shall not be placed, used or carried afield, whether operable or inoperable, after the close of the fox and coyote trapping season.

History: Eff. Mar. 31, 1989; Am. 10, 1990, Eff. Sept. 1, 1990; Am. 10, 1993, Eff. Sept. 1, 1993; Am. 5, 1994, Eff. Sept. 1, 1994; Am. 3, 2001, Eff. Mar. 1, 2001; Am. 11, 2004, Eff. June 5, 2004; Am. 9, 2005, Eff. July 8, 2005.

3.610 Coyote hunting, season; exceptions; fur harvester's license not required to hunt; taking coyote doing or about to do damage, person taking considered permittee.

Sec. 3.610. (1) The open season for taking coyote by hunting shall be July 15 to April 15 except:

(a) Coyotes may be taken all year on private property by the property owner or their designee when coyotes are doing or about to do damage to their property. A person taking a coyote under the authority of this subsection shall be considered a permittee as defined by section 5.50 of this order. A written permit is not required, and the person shall be authorized to take coyote all year by otherwise lawful hunting and trapping methods.

(b) Coyotes shall not be taken from November 15 to November 30 in zone 1 and 2 except as provided under subdivision (a).

(c) Coyotes shall not be taken in state park and recreation areas from April 1 to September 14.

(2) A person taking coyote under the authority of subdivision (1) (a) shall be considered a permittee as defined by section 5.50 of this order, and the person shall be authorized to take coyote without a license all year by otherwise lawful hunting and trapping methods.

(3) A resident possessing a small game license may hunt coyote without securing a fur harvester's license.

History: Am. 9, 1989, Eff. Sept. 1, 1989; Am. 10, 1990, Eff. Sept. 1, 1990; Am. 9, 1991, Eff. Sept. 1, 1991; Am. 5, 1994, Eff. Sept. 1, 1994; Am. 5, 1995, Eff. Sept. 1, 1995; Am. 3, 2001, Eff. Mar. 1, 2001; Am. 9, 2003, Eff. June 7, 2003; Am. 9, 2005, Eff. July 8, 2005.

3.620 Fisher, open seasons, closed areas; registration requirements; unlawful acts.

Sec. 3.620. (1) The open season for taking fisher by trapping shall be from December 1 to December 15 in Units A and B, as described in sections 12.807 to 12.808.

(2) The season limit shall be 3 fisher per person except no person shall take more than 1 fisher in Unit B.

(3) A person that kills a fisher shall present the pelt and skull of the fisher to a designated department employee to be registered and sealed no later than 3 business days following December 15. The pelt shall be presented for sealing in person by the fur harvester that killed the animal and shall not be presented for sealing or registration by another person. The person presenting the fisher pelt shall display their fur harvester license, including identification used to acquire the license, and shall provide harvest information as requested by the department employee. The department employee shall retain the skull and attach an official seal to the pelt of each fisher presented for examination and shall lock the seal upon the hide in such a manner that it cannot be removed without cutting or ripping the fisher pelt or damaging the seal. Once an official seal is attached by the department, it shall not be removed from the fisher pelt until the fisher pelt is processed or tanned. Subsequent to 3 business days following December 15, it shall be

unlawful to possess a fisher pelt without an official department seal attached unless the pelt has been processed or tanned or the fisher season is open.

History: Am. 19, 1989, Eff. Sept. 1, 1989; Am. 10, 1990, Eff. Sept. 1, 1990; Am. 15, 1993, Eff. Sept. 1, 1993; Am. 10, 1994, Eff. Sept. 1, 1994; Am. 9, 2003, Eff. June 7, 2003.

3.621 Live traps, permitted use in safety zone.

Sec. 3.621. (1) Notwithstanding any other provisions of this order, a live trap other than a trap designed to catch more than 1 animal at 1 time, may be used for the taking of furbearing animals within a safety zone. A person using a live trap shall release or kill an animal captured in a live trap immediately upon finding that animal in a trap.

(2) A person using a live trap shall tend the trap daily.

(3) For the purposes of this section, "safety zone" means the area within 150 yards of an occupied building, dwelling, house, residence, or cabin, or any barn or other building used in connection with a farm operation.

History: Am. 9, 1993, Eff. Sept. 1, 1993.

3.622 Removal of seal from fur-bearing animals by licensed taxidermist.

Sec. 3.622. The seal on a fur-bearing animal requiring sealing by the department can be cut and removed from the specimen by a licensed taxidermist at the location of their taxidermy business at any time following the recording of the seal number and completion of the taxidermy tag.

History: Am. 7, 1998, Eff. Sept. 1, 1998.

3.630 Marten, open season, exceptions; trapping permit; sealing requirements; unlawful acts.

Sec. 3.630. (1) The open season for taking marten by trapping shall be from December 1 to December 15 in all of zone 1 except Drummond island.

(2) Through the last day of the open marten season, a person issued a fur harvester's license may obtain a free marten trapping permit at any department office that sells hunting licenses. A person shall not acquire more than 1 marten trapping permit for the license year. A person shall not take or attempt to take a marten or possess a marten carcass or hide not sealed as described in subsection (4) without producing a marten trapping permit upon the demand of a conservation officer.

(3) The season limit shall be 1 marten per person.

(4) A person that kills a marten shall present the pelt and skinned carcass of the marten and their marten trapping permit to a designated department employee to be registered and sealed no later than 3 business days following December 15. The pelt shall be presented for sealing in person by the fur harvester that killed the animal and shall not be presented for sealing or registration by another person. The person presenting the marten pelt shall display their fur harvester license, including identification used to acquire the license, and shall provide the marten trapping permit under which the marten was trapped and harvest information as requested by the department employee. The department employee shall retain the skinned carcass and marten trapping permit, attach an official seal to the pelt of each marten presented for examination, and lock the seal upon the hide in such a manner that it cannot be removed without cutting or ripping the marten pelt or damaging the seal. Once an official seal is attached by the department, it shall not be removed from the marten pelt until the marten pelt is processed or tanned. Subsequent to 3 business days following December 15, it shall be unlawful to possess a marten pelt without an official department seal attached unless the pelt has been processed or tanned or the marten season is open.

History: Am. 16, 2000, Eff. Oct. 13, 2000; Am. 9, 2003, Eff. June 7, 2003; Am. 11, 2004, Eff. June 5, 2004.